

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No. 288 of 2009

1. Simmi Verma D/o of late Rajan Kumar Verma @ Ranjan Kumar Verma
2. Sonam Verma, D/o of late Rajan Kumar Verma @ Ranjan Kumar Verma,
3. Raksha Verma, D/o of late Rajan Kumar Verma @ Ranjan Kumar Verma,
4. Ritu Verma, D/o of late Rajan Kumar Verma @ Ranjan Kumar Verma,
5. Aanand Kumar Verma, Son of late Sideshwar Kumar Verma,
6. Niranjana Kumar Verma, Son of late Sideshwar Kumar Verma,
7. Sanjay Kumar Verma, Son of late Sideshwar Kumar Verma,
All resident of Village- Aadarsh Nagar, Police Station- Harinagar, District-
West Champaran, Bettiah.

... .. Appellant/s

Versus

1. The Dy. Labour Commissioner-Cum-Commissioner Under Workmen's
Compensation Act, Chhatta Chowk, Muzaffarpur, Bihar.
2. M/s. Gammon India Ltd. D. No. 86-6-22/1 Manthena Hardeas Vadre
Vanagar, Rajahmundry- 533101.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Umesh Kumar Singh, Adv.
For the Respondent/s : Mr. Arvind Kumar Verma, Adv.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT

Date : 25-06-2019

Heard the parties.

This miscellaneous appeal has been filed for setting aside the order dated 11.03.2009 passed by Deputy Labour Commissioner-cum-Commissioner under Workmen's Compensation Act, Muzaffarpur (Bihar), in W.P.D. No. 09 of 2007 by which he has dismissed the claim of appellant.

Briefly stated the facts of the case is that Kamal



Kishore Verma was working in M/s. Gammon India Ltd. as a Mechanical Supervisor in Andhra Pradesh, who died while in service on 07.11.2005.

Brother of deceased Kamal Kishore Verma namely Ranjan Kumar Verma filed a petition before Deputy Commissioner of Labour (FAC) Zone II, Eluru, for grant of compensation under the Workmen's Compensation Act and management of respondent no.2 M/s. Gammon India Ltd. had deposited an amount of Rs. 4,30,560/- towards compensation amount payable to dependents of Late Kamal Kishore Verma.

Deceased Kamal Kishore Verma died unmarried. His parents had pre-deceased him. His four brothers Sri Anand Kumar Verma is 48 years, Ranjan Kumar Verma is 44 years, Niranjana Kumar Verma is 43 years, and Sanjay Kumar Verma is 34 years and he had no sister as such none of them are dependents of the deceased and as such are not entitled for payment of compensation under the Workmen's compensation Act and accordingly claim case filed by the appellant was rejected by the Commissioner Workmen's Act by his order dated 19.03.2009. This court does not find any illegality or irregularity in the order passed by the Commissioner Workmen's Compensation Act as appellant cannot be considered



dependents of the deceased as such his application for grant of compensation under the Workmen’s Compensation Act was rightly rejected by the Commissioner.

There is no merit in this miscellaneous appeal and is accordingly dismissed.

(S. Kumar, J)

Rajiv/-

AFR/NAFR	NAFR
CAV DATE	NA
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