

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9266 of 2021

Most. Rajkumari Devi Wife of Late Alok Ram R/o Mohalla- Hafiapur Khar,
Ward No. 26, Sri Ram Nagar, Gopalganj, P.S. and District- Gopalganj (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Labour Resources, Govt. of Bihar, Patna.
2. The Labour Commissioner, Govt. of Bihar, Patna.
3. The District Magistrate, Gopalganj.
4. The Block Development Officer, Block Gopalganj, District Gopalganj.
5. The Deputy Labour Commissioner and Commissioner Workmen Compensation, Muzaffarpur.
6. The Deputy Labour Commissioner-cum-Commissioner Workmen Compensation, Chapra, Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate
For the Respondent/s : Mr. Anil Kumar Singh, GP 26

CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA
ORAL JUDGMENT

Date : 20-12-2021

Heard learned counsel for the parties.

This petition seeking transfer of the case pending at
Muzaffarpur to Chapra under Section 21(2) of the Employee's
Compensation Act, 1923. The said Section is reproduced below
for ready reference:

*“21(2) If a Commissioner is satisfied
(that any matter arising out of any proceedings
pending before him) can be more conveniently
dealt with by any other Commissioner, whether in
the same State or not, he may, subject to rules
made under this Act, order such matter to be
transferred to such other Commissioner either for*



report or for disposal, and, if he does so, shall forthwith transmit to such other Commissioner all documents relevant for the decision of such matter and, where the matter is transferred for disposal, shall also transmit in the prescribed manner any money remaining in his hands or invested by him for the benefit of any party to the proceedings:

[Provided that the Commissioner shall not, where any party to the proceedings has appeared before him, make any order of transfer relating to the distribution among dependants of a lump sum without giving such party an opportunity of being heard]”

Learned counsel appearing for the State has no objection.

Under the circumstances, the petition is allowed. The case stands transferred from the Deputy Labour Commissioner, Muzaffarpur to Chapra.

The petition stands allowed in the above terms.

(Rajan Gupta, J)

P. Kumar

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

