

IN THE HIGH COURT OF ORISSA AT CUTTACK

**W.P.(C) No.7527 Of 2021
(Through hybrid mode)**

Sanjulata Guru

....

Petitioner

Mr. B.K.Nayak 3, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. P.C. Panda, AGA

Mr. B.S. Rayguru, CGC for O.P.4

CORAM: JUSTICE ARINDAM SINHA

**ORDER
30.03.2022**

**Order No.
06.**

1. Mr. Nayak, learned advocate appears on behalf of petitioner, who is the widow. He submits, the husband died accidental death. He was registered with Odisha Building and Other Construction Workers' Welfare Board. The death occurred during course of employment.

2. Mr. Panda, learned advocate, Additional Government Advocate appears on behalf of State and draws attention to petitioner's application to Commissioner for Employee's Compensation. He points out therefrom that though petitioner had registration with the Board but he was working as helper in a bus owned by a person. According to petitioner the deceased died in course of such employment. It is

clear from petitioner's said claim that her husband was not engaged in construction work of building or other construction. He was working in transport. As such, the provision for payment of compensation of Rs.2,00,000/- on death during course of employment is not applicable to the deceased. Petitioner therefore, was paid Rs.1,00,000/-.

3. It cannot be said that husband of petitioner died while engaged in construction work relating to building or other construction. There is no ground for interference and no order can be made.

4. The writ petition is disposed of.

(Arindam Sinha)
Judge

Prasant

