IN THE HIGH COURT OF JHARKHAND, RANCHI
M.A. No. 101 of 2023

Smt. Nisha Devi, wife of Late Vijay Yadav, aged about 36 years, resident of Prem Nagar, PO – Kusunda, PS – Putki, District - Dhanbad **.... Appellant**

-- Versus --

1. Indu-ZMZ-Zhengzhou Design-Xinfeng Construction, Moondih, PO and PS-Moondih, District – Dhanbad

2. Paras Yadav, son of Lalu Yadav, resident of near Shiv Mandir, Prem Nagar, PO – Kusunda, PS – Putki, District – Dhanbad

3. Laxmi Devi, wife of Lalu Yadav, resident of near Shiv Mandir, Prem Nagar, PO – Kusunda, PS – Putki, District – Dhanbad

.... Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Appellant :- Mr. Suraj Singh, Advocate
For Respondent No.1 :- Mrs. Richa Sanchita, Advocate
:- Ms. Risheeta Singh, Advocate

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*08/**27.10.2026*** Heard learned counsel appearing for the appellant and learned counsel appearing for the respondent No.1.

2. Notices upon respondent Nos.2 and 3 have been effected as noted in the order dated 20.03.2025 and on that day the matter was adjourned with a view to provide one more opportunity to respondent Nos.2 and 3. Again the matter was further adjourned on 31.07.2025 in spite of that respondent Nos.2 and 3 have chosen not to appear, as such this appeal is being heard in absence of respondent Nos.2 and 3.

3. This appeal has been preferred under Section 30 of Employees Compensation Act, 1923 challenging the award dated 14.07.2022 passed by learned Presiding Officer, Labour Court, Dhanbad in W.C. Case No.08 of 21(D) whereby the learned Presiding Officer has been pleased to

dispose of the said compensation case and ordered compensation amount of Rs.12,18,596.68/- and directed to be distributed among the family members of the deceased namely Vijay Yadav.

4. Mr. Suraj Singh, learned counsel appearing for the appellant submits that the appellant is wife of the deceased and she is not aggrieved with the distribution of the awarded amount among the other family members except Kajal Kumari, who happened to be sister of the deceased. He further submits that Kajal Kumari was dependent upon the father and mother and father is earning member and in view of that the distribution of amount to the tune of Rs.1,20,000/- to Kajal Kumari is not in accordance with law. On these grounds, he submits that the appeal may kindly be allowed and award may kindly be modified.

5. Learned counsel appearing for the respondent No.1 submits that there is no illegality in the award of the learned Court and only meagre amount of Rs.1,20,000/- has been allowed in favour of Kajal Kumari and direction has been issued to deposit the said amount through FDR for three years. She further submits that no modification is needed in the award and the award is in accordance with law.

6. The Court has gone through the trial court record and finds that son of the deceased namely Abhishek Kumar Yadav was also examined and in cross examination he has stated that marriage of Kajal Kumari has not been solemnized. He has also stated that his grand-father was earlier working and at present he is not doing any work. Kajal Kumari has also been examined and she has stated that she was fully dependent upon her brother and considering this aspect learned Presiding Officer, Labour Court has only granted a sum of Rs.1,20,000/- taking into account that

her marriage has not been solemnized and she needs that amount for solemnizing marriage. The appellant herein is not aggrieved with the rest of the awarded amount distributed among the other family members.

7. In light of award, the amount has already been deposited in FDR as per the direction of learned Presiding Officer, Dhanbad.

8. In view of the above, the Court finds that Kajal Kumari was dependent upon the deceased and that has also been stated in the evidence as noted here-in-above. There is no illegality in the award dated 14.07.2022 passed by learned Presiding Officer, Labour Court, Dhanbad in W.C. Case No.08 of 21(D), as such this appeal is hereby dismissed.

9. Let the trial court record be sent back to the learned court concerned forthwith.

(Sanjay Kumar Dwivedi, J.)

Dated 27.10.2026
Sangam/