

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No 1342 of 2012
IN
Civil Writ Jurisdiction Case No 15042 of 2005

- =====
1. Ram Lakhan Yadav S/O Harihar Yadav R/O Village- Damodarpur, Police Station- Makhdumpur, District- Jehanabad
 2. Lalmuni Devi W/O Ram Lakhan Yadav R/O Village- Damodarpur, Police Station- Makhdumpur, District- Jehanabad
 3. Shyam Bihari Kumar S/O Ram Lakhan Yadav R/O Village- Damodarpur, Police Station- Makhdumpur, District- Jehanabad
 4. Laxmini Kumari D/O Ram Lakhan Yadav R/O Village- Damodarpur, Police Station- Makhdumpur, District- Jehanabad

.... Appellant/s

Versus

1. The Chairman, Bihar State Electricity Board, Patna
2. The Executive Engineer, Electric Supply Division, Gaya

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. UMESH KUMAR

For the Respondent/s : Mr. VINAY KIRTI SINGH

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CORAM: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH

And

HON'BLE MR JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

(Per: HONOURABLE MR JUSTICE NAVANITI PRASAD SINGH)

Date: 04-05-2015

On 29.04.2015, we had adjourned the matter to enable learned counsel for the South Bihar Power Distribution Company Limited (for brevity, the Power Company), the successor-in-interest of Bihar State Electricity Board to take instructions in terms of the Circular dated 02.07.2012. Learned counsel for the Power Company has taken a very fair stand and submitted before the Court a cheque of Rs 2 lacs in favour of Ram Lakhan Yadav, appellant No 1 who is the father of the victim.

2 It may be noted that Shambhu Yadav, the son of Ram

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Lakhan Yadav was electrocuted on 11.03.2005 having come in contact with 11,000 KV electric cable of the Power Company. The father and other family members of the victim had filed the writ petition claiming compensation which was dismissed in view of alleged disputed questions of fact. There being an intra-Court appeal and after hearing the parties, the Power Company has taken a fair stand and offered a compensation of Rs 2 lacs. The cheque for the said amount drawn in favour of the father Ram Lakhan Yadav, appellant No 1 dated 02.05.2015 drawn on Canara Bank, Vidyut Bhawan Branch, Patna being Cheque No 486749 has been handed over to Shri Umesh Kumar, Advocate who undertakes to hand over the same to his client aforesaid forthwith.

3 In our view, so far as the Writ Court is concerned, it can do no more in the facts and circumstances. If the writ petitioners/appellants have any other claim, they may take such other appropriate remedy as they may be advised. So far as this proceeding is concerned, it stands, thus, terminated.

4 The appeal is disposed of accordingly.

(Navaniti Prasad Singh, J)

(Rajendra Kumar Mishra, J)

M.E.H./-

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