

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22494 of 2011

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1. Hema Devi Wife Of Late Pappu Mandal @ Pappu Kumar Resident Of Mohalla-Bindhwar Navtoliya, Near Hanuman Mandir, P.S.-Kasim Bazar, District-Munger.

.... Petitioner

Versus

1. Secretary, Bihar State Electricity Board (Vidyut Bhawan), Bailey Road, Patna.
2. Executive Engineer (Electrical), Electric Supply Division, Munger.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Alias Sanidh, Advocate
For the Respondent/s : Ms. Renu Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 27-11-2015 Heard Mr. Niraj Kumar @ Sanidh for the petitioner and Ms. Renu Jha for the respondent-erstwhile Bihar State Electricity Board (now South Bihar Power Distribution Company Ltd.) (for short 'the Board').

There is no dispute that the husband of the petitioner died of electrocution on 17.07.2011. She was entitled to payment of compensation as per the policy of the respondent- Board. Since the same was not paid by way of ex-gratia payment to the petitioner, she filed the present writ petition.

Along with supplementary counter affidavit, the respondent has brought on record the circular contained in letter No. 1677 dated 02.07.2012 (Annexure 'E' to the supplementary

counter affidavit) which provide payment of a sum of Rs. 2,00,000/- (Two lacs) payable as compensation in the event of fatal electrical accidents i.e. death of the victims due to electrocution.

The petitioner, in view of the undisputed fact of the death of her husband due to electrocution, is entitled to payment thereof. I, accordingly, direct the respondents to pay a sum of Rs. 2,00,000/- (two lacs) by way of compensation/ ex-gratia payment as provided in the communication/circular dated 02.07.2012 (Annexure 'E' to the supplementary counter affidavit) within a maximum period of five weeks from today. In case, the respondents default in making payment of the said amount within the said time the petitioner would also be entitled to a sum of Rs. 10,000/- (ten thousand) by way of consolidated interest on the said payment in addition to a sum of Rs. 2,00,000/- (two lacs).

Obviously, the present order shall not a bar in seeking relief for payment of adequate compensation before the appropriate forum in accordance with law.

(Kishore Kumar Mandal, J)

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