

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15217 of 2011

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Sonawa Devi W/O Late Raghuveer Paswan R/O Village-Manjuahi, P.S.-
Aurangabad Mufassil And District-Aurangabad.

.... Petitioner/s

Versus

1. The State Of Bihar.
2. The District Magistrate, Aurangabad.
3. The Chairman, Bihar State Electricity Board, Patna (Bihar).
4. The Executive Engineer, the Electric Supply Sub Division, Aurangabad.

.... Respondent/s

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Appearance:

For the Petitioner/s	Mr. Anirudh Kumar Verma
For the Power Holding Company	Mr. Dharmeshwar Mishra
For the State	Mr. M.N. Hoda Khan, SC 18
	Mr. Haroon Quraishi, AC to SC18

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

6 07-12-2015

Heard.

This writ application has been filed by the widow of Late Raghuveer Paswan for a direction to compensate her as per the circular/policy decision of the erstwhile Bihar State Electricity Board (now Bihar Power Holding company Ltd.) as her husband while tending the cattle in the field came in contact with the electric wire which had fallen on the ground and died. Although it is stated that post mortem report of the deceased revealed the cause of death due to electric shock but the same has not been placed on record.

The respondents have filed a counter affidavit stating as under in paragraphs 5 and 6:-

“5. That it is respectfully stated and humbly
submitted that as per the log sheet, on

23.07.2010 from 5.35 AM to 5 PM there was no supply of power to 33/11 KBS Aurangabad.

6. That there is not record whatsoever about falling of electric wire and its repair in the village Manjuahi, District Aurangabad on the date when the husband of the petitioner is said to have died.”

An indulgence was granted to the petitioner to file rejoinder. No rejoinder has however been filed.

On perusal of the materials on record and upon hearing Mr. Mishra appearing for the respondent-Power Holding Company, it appears that a dispute has been raised about the cause of death. The death caused due to electrocution is not admitted.

In that view of the matter, this Court finds it difficult to grant relief to the petitioner. The application is dismissed.

Dismissal of the application shall however not preclude the petitioner from raising the grievance as raised in this application before the appropriate authority/forum in accordance with law.

(Kishore Kumar Mandal, J)

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