

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18483 of 2013

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Mrs. Jamila Devi W/o late Ramajit Rai @ Rajit Rai, resident of village Barsima,
Anchal Tikari, District.

.... Petitioner/s

Versus

1. The State of Bihar
2. District Magistrate, Jahanabad, Bihar.
3. Sub Divisional Officer, Jehanabad, Bihar.
4. Electrical Executive Engineer, Supply Division, Bihar State Electricity Board,
Jahanabad.
5. Superintendent Engineer, Bihar State Electricity Board, Gaya.
6. Chief Engineer, Bihar State Electricity Board, Patna, Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anurag Saurav, Adv.

For the Respondent

SBPDCL : Mr. Vinay Kirti Singh

For the respondent State : Mr. Gautam Bose (AAG-8)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 12-07-2016

Heard the counsel for the petitioner as well as Mr. Vinay

Kirti Singh appearing for the erstwhile Bihar State Electricity Board
(now South Bihar Power Distribution Company) (for short ‘the
Company’).

In spite of indulgence granted, no counter affidavit is
filed.

The husband of the petitioner died of electrocution in the
incident which took place on 1.10.2012. An FIR (Annexure-2) was
lodged in relation to the unnatural death of her husband. The post
mortem report of the deceased is enclosed as Annexure-3. The doctor
conducting the post mortem on the cadaver opined the cause of death
due to electrocution. It is stated that under the relevant
Circular/Resolution of the respondent-Company, she is entitled to

payment of grant-in-aid/ ex gratia amount which has now been enhanced from Rs. one lac to Rs. two lacs.

The counsel for the respondent-Company has, however, pointed out that according to the decision of this Court petitioner may be entitled to payment of the ex gratia amount as per the existing Resolution/Circular of the respondent-Company when the death occurred due to electrocution..

Be that as it may, on going through the relevant materials, this much is manifest that the claim of the petitioner has not till date been addressed by the respondent-Company. Consequently, the writ application is disposed of by permitting the petitioner to make a fresh representation before the Superintending Engineer, Electric Supply Circle, Gaya for payment of the ex gratia amount enclosing all relevant papers/documents within 04 (four) weeks. Upon filing of such application/representation, the said respondent will consider/examine the grievance of the petitioner and take appropriate decision towards payment of the admissible ex gratia amount in favour of the petitioner as quickly as possible preferably within 05 (five) weeks from such filing.

(Kishore Kumar Mandal, J)

Shyam/-

AFR/NAFR	NAFR
CAV DATE	
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