

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3704 of 2013

=====

1. Most. Shiv Kumaro Kunwar W/O Late Satya Narayan Mahto Resident
Of Village Chandanpura, Police Station Tilauthu, District Rohtas

.... Petitioner/s

Versus

1. The Bihar State Electricity Board, Through Its Chairman, The Bihar State
Electricity Board, Patna, Bihar
2. The Secretary, The Bihar State Electricity Board, Patna
3. Superintending Engineer, Electricity Department, Rohtas, Sasaram
4. Electrical Executive Engineer, Dehri, District Rohtas
5. Assistant Electrical Engineer, Dehri, Electric Division, District Rohtas
6. Junior Engineer Electricity Department, Tilauthu, Rohtas

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Jitendra Prasad Singh
For the Respondent/s : Mr. Vinay Kirti Singh

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 12-01-2016 Heard Mr. Jitendra Prasad Singh for the petitioner

and counsel for the respondent- erstwhile Bihar State Electricity

Board (for short 'the Board').

The application seeks a direction upon the
respondents to pay her compensation or ex-gratia amount as the
husband of the petitioner died due to electrocution on 23.06.2007.
In relation to his death an First Information Report was drawn in
which the death due to electrocution was confirmed. However,
charge sheet was not filed. The post mortem report of the deceased
is enclosed as Annexure-1/A. It has been submitted by Mr.
Jitendra Prasad Singh that the petitioner qualifies for grant of ex-

gratia payment as per the scheme/policy of the Board.

On request by counsel for the petitioner, the matter was adjourned to take instruction. Today Mr. Singh, counsel for the petitioner states that during the pendency of this application the respondents have paid a sum of Rs. one lac as ex-gratia payment. Although the petitioner has prayed for a sum of Rs. five lacs as compensation but considering the scheme of the Board, this Court would not grant such relief. The petitioner would be entitled to the amount as per the policy decision/scheme of the Board. It has been submitted that the consideration of her claim was made by the respondent Board, when the altered scheme contemplated payment of Rs. two lacs as ex-gratia payment. If that be so, this Court while disposing of the writ application, would grant the petitioner liberty to raise a claim in this regard before the Chief Engineer, Operation and Maintenance of the South Bihar Power Distribution Company (a Unit of the Bihar State Power Holding Company). If any such claim is raised within a fortnight, I am sure, the said respondent shall examine the grievance of the petitioner and pass appropriate order in accordance with law.

(Kishore Kumar Mandal, J)

Shyam/-

U			
---	--	--	--