

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20550 of 2013

Jugeshwar Paswan Son Of Late Paltu Paswan Resident Of Village- Sai, P.S.-
Dhanarua, District- Patna

.... Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Patna
3. The Superintendent of Police, Patna
4. The Officer-In-Charge, Dhanarua P.S., District- Patna
5. The Chairman, Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna
6. The Assistant Engineer, Bihar State Electricity Board, Supply Division, Masaurhi, District- Patna
7. Bijendra Yadav Son Of Late Sakaldeo Yadav Resident Of Village- Sai, P.S.- Dhanarua, District- Patna
8. Rajendra Yadav Son Of Late Sakaldeo Yadav Resident Of Village- Sai, P.S.- Dhanarua, District- Patna

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. SATISH CHANDRA
For the Respondent/s : Mr. P.N. SAHI, AAG 10
Mr. Sanjeet Kr. Singh, AC to AAG 10

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL JUDGMENT

Date: 20-07-2016

Heard the counsel for the petitioner.

No one appears on behalf of respondent nos. 5 and 6. In spite of indulgence granted, no counter affidavit has been filed.

The writ application prays for a direction upon the authorities of the erstwhile Bihar State Electricity Board (now the Bihar State Power Holding Company Ltd., for short ‘the Company’) for payment of ex-gratia amount/compensation in the sum of Rs. 3 lakhs to the petitioner, who is husband of the deceased Late Kalawati Devi, who died of electrocution on 24.06.2012. An FIR (Annexure-1) was lodged in relation to the said occurrence wherein the post

mortem of the deceased was conducted and the doctor found electrocution as the cause of death. The post mortem report is enclosed as Annexure-2.

It is submitted that for this act of negligence, the respondents are obliged to compensate the petitioner by paying the ex gratia amount or the compensation amount as per the resolution of the respondent-Company. He has cited various orders of this Court in order to submit that the case of the petitioner should also be directed to be considered by the authority of the respondent Company.

Having heard the counsel for the petitioner and the State, writ application is disposed of by the following order:-

Let the petitioner file a fresh application before the Chairman-cum-Managing Director of the Company for payment of the ex gratia amount/compensation amount as per the resolution of the erstwhile Board. If any such application is filed within 04 weeks, the Chairman-cum-Managing Director of the Company shall either examine the claim of the petitioner and/or cause the same to be examined by the appropriate authority of the Company and take appropriate decision thereon as quickly as possible preferably within 08 weeks of such filing of the representation along with copies of the relevant documents as also a copy of this order.

(Kishore Kumar Mandal, J)

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