

**IN THE HIGH COURT of PUNJAB AND HARYANA
AT CHANDIGARH**

210

**Civil Writ Petition No.7238 of 2014
Date of decision: May 25, 2016**

Kamlesh Rani

....Petitioner

versus

Managing Director, Uttar Haryana Bijli Vitran Nigam Ltd. and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No
2. To be referred to the Reporters or not? Yes/No
3. Whether the judgment should be reported in the Digest? Yes/No

Present: Mr. Ravinder Malik (Ravi), Advocate
for the petitioner.

Mr. P.S. Poonia, Advocate
for respondents No.1 & 2.

Mr. G.D. Gupta, Advocate
for respondent No.3.

RITU BAHRI, J. (Oral)

The petitioner is seeking direction to the respondents to release an amount of ₹ 5 lacs as compensation/claim of insurance policy to the petitioner along with interest @ 18% from 09.12.2011 i.e. the date of accidental death of her husband.

The husband of the petitioner had expired in a rail accident on 09.12.2011 while working as Upper Divisional Clerk with the respondent-Nigam. Intimation, in this regard, was given to respondent

No.3 on 14.12.2011 vide letter (Annexure P-4). The claim of insurance was forwarded on 07.05.2012 for settlement along with copy of postmortem and death certificate dated 03.05.2015. Despite the said information given by the petitioner, nothing has been paid to the petitioner.

Learned counsel for respondent No.3, in compliance of order passed by this Court on 27.04.2016, has handed over a demand draft No.172587 dated 19.05.2016 amounting to ₹ 5 lacs to counsel for the petitioner in Court today i.e. after a gap of almost five years. A photocopy of said demand draft is also taken on record.

Accordingly, the present petition is disposed of with direction to the respondents to make payment of interest @ 9% p.a. in view of judgment passed by Hon'ble the Supreme Court in cases of ***D.D. Tiwari (D) through LRs vs. Uttar Haryana Bijli Vitran Nigam Ltd. And others, 2014 AIR (SC) 2861 and Megh Varan Sharma vs. State of U.P. and others, 2015 (1) S.C.T. (12)***. The necessary payment be made w.e.f. 01.01.2012 till the payment is made i.e. today itself within a period of three months from the date of receipt of copy of this order and the compliance report be also sent to this Court.

May 25, 2016

sonia gugnani

**(RITU BAHRI)
JUDGE**