

HON'BLE SRI JUSTICE M. S. K. JAISWAL

WRIT PETITION No. 311 of 2011

ORDER:

This writ petition is filed aggrieved by the action of the Respondents 1 to 3 & 5 in not paying the *ex-gratia* of Rs.50,000/- to the petitioner, who met with an electrocution and fallen down from the transformer due to which he sustained grievous fracture injury and dislocation of hip-bone, and thus sustained 55%of the disability.

2. The case of the petitioner is that he was working as a casual labour under a contractor, by name Nasar Reddy, 5th respondent herein, and on 24.08.2007 when he was attending to the repairs to a transformer, he sustained injuries due to electrocution and hence he made a claim for compensation of Rs.5,00,000/-.

3. The respondents contend that the petitioner was not a person engaged by the Respondents - A.P. Central Power Distribution Company Limited, and he was a casual labour, having been appointed as such by a Contractor, and in the event of any contingency, it is the contractor, who has to meet the claims if any, but not by the Respondents-Company.

4. The writ petitioner has stated that he submitted representation to the respondents/authorities for payment of compensation for the injuries sustained by him, on as many as three occasions, namely, on 16.10.2007, 18.08.2009 and 16.05.2010, and in spite of making such representations, the 1st respondent has

neither replied to any of the representation nor passed any orders thereon.

5. The learned counsel appearing for the petitioner placed reliance upon the Board Orders issued by the Central Power Distribution Company of A.P. Limited in C.O.O.Ds(Per).Ms.No.239, dated 30.06.2003, as amended from time to time and finally by C.O.O.CGM (HRD) Ms.No.465, dated 20.09.2007, in support of his contention that even the petitioner, who has been engaged as casual labour by a contractor, is entitled to claim compensation in the event of contingency while performing his duties.

6. In view of the above, the writ petition is disposed of directing the Respondents 1 to 3 to dispose of the representations made by the writ petitioner, as stated above, with reference to the Circular instructions of the Central Power Distribution Company of A.P. Limited, within a period of two months from the date of receipt of a copy of this order. As a sequel, the miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

M.S.K. Jaiswal,J.

Dt.21.08.2017

Note:

Issue copy by one week.

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Dated: 21.08.2017

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