

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

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**CWP-21654-2016 (O&M)
Date of decision: 24.04.2017**

Rita Sharma

....Petitioner

Versus

Managing Director, Uttar Haryana
Bijli Vitran Nigam Limited and others

.... Respondents

CORAM: Hon'ble Mr. Justice P.B. Bajanthri

Present: Mr. Pankaj Maini Advocate for the petitioner.

Mr. S.M. Sharma, Advocate for the respondents

P.B. Bajanthri, J. (Oral)

The petitioner's husband is stated to have been working through Contractor as an Assistant Lineman (contract basis). On 19.07.2016 while deceased was working along with one Sh. Pawan Kumar, Lineman met with an accident. Due to which he has died on 30.07.2016. Uttar Haryana Bijli Vitran Nigam Limited (for short 'UHBVNL') issued a policy on 07.08.2015 relating to providing compassionate financial assistance to the family of the deceased person working in Government Department/Boards/Corporations/Public undertakings under Haryana Government on ad hoc, daily wages, contract basis including the persons working on contract basis through Service Providing Agency are entitled for financial assistance to the extent of Rs. 5 Lacs in the case of accidental death/permanent disability while on duty. In the present case it is an accidental death therefore, the petitioner's grievance is relating to grant of

compensation of Rs.5 Lacs has not been considered on the ground that report has been drawn by SDO (OP) Sub Division No.1, UHBVNL, Ambala Cantt. In the said report it is stated that there is negligence on the part of the petitioner and one Sh. Pawan Kumar, Lineman. However, while drawing the report Sub Divisional Officer has specifically expressed his opinion that Sh.Pawan Kumar, Lineman is responsible for this accident. Despite this the concerned respondents have not extended the benefit of compensation of Rs.5 Lacs as per the policy. Moreover, the policy do not fixes the negligency and other things. It speaks of only extending of compensation for accidental death.

In view of the facts and circumstances, the concerned respondent is hereby directed to release compensation of Rs.5 Lacs along with interest @ 9% per annum from 30.10.2016 till payment is made to the legal heirs of the deceased employee.

The above exercise shall be completed by the concerned respondent within a period of 3 months from today.

With the above observation, petition stands disposed of.

24.04.2017

pooja saini

**(P.B. BAJANTHRI)
JUDGE**

Whether speaking/reasons

Yes/No

Whether Reportable:**Yes/No**