

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

**CWP No. 26415 of 2014
Date of Decision: 3.12.2019**

Pawan Kumar	Vs.	...Petitioner
State of Haryana and others		...Respondents

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr. Pushpinder Kaur, Advocate
for the petitioner.

Mr. Saurabh Mohunta, DAG Haryana

Mr. Sandeep Moudgill, Advocate
for respondent Nos. 2 to 5/Nigam.

RAJIV NARAIN RAINA, J. (Oral)

There are seriously disputed questions of fact regarding the occurrence which cannot be resolved in writ jurisdiction as they would require evidence, both documentary and oral, including recording of statements of eye-witnesses, if any, in a case of loss of upper limbs due to electrocution.

Accordingly, the petitioner is relegated to his remedy in the Civil Court. It is directed that the period spent in pursuing this litigation will be considered favourably by the trial Court in case a suit is filed and the period will be exempted under Section 14 of the Limitation Act, 1963 from the period of limitation as the petitioner was pursuing the remedy in this Court with due diligence and in a *bona fide* manner.

The petition is dismissed with the aforesaid liberty with exemption from limitation till 2 months after the passing of this order.

3.12.2019
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**(RAJIV NARAIN RAINA)
JUDGE**