

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

CWP No.23321 of 2018

Date of decision:-11.01.2019

Manju

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. V.K. Sheoran, Advocate for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL)

The widow has approached this Court by filing the instant writ petition seeking a mandamus for directing the Haryana State Agricultural Marketing Board/authorities under its control to release an amount of Rs.5,00,000/- towards financial assistance on account of death of her husband namely Sube Singh due to electrocution on 20.11.2016.

Counsel submits that the Haryana State Agricultural Marketing Board, has framed a policy under the name of Mukhya Mantri Kishan Evam Khetihar Mazdoor Jiwan Suraksha Yojna, 2013 and which came into force w.e.f. 01.01.2014, to provide special assistance to the victims of accidents which occurred during agricultural operations in the fields, village, market yards and while going or coming from such places within the State of Haryana.

Case set-up by the petitioner/widow is that her husband Sube Singh (since deceased) was working in the fields of Lal Singh, resident of Village Bardhu Mugal on 20.11.2016 and while operating the sprinkler pipe, got electricity shock and died on the spot. Counsel has also referred to document placed on record at Annexure P-5 and whereby the doctor concerned has opined that the cause of death of Sube Singh is electrocution.

Counsel further submits that the claim had been made by the petitioner for release of Rs.5,00,000/- as financial assistance under the 2013 Yojna and vide communication dated 15.09.2017 (Annexure P-3), issued by the Market Committee, Loharu (Bhiwani), the petitioner had been called upon to provide certain documents i.e. police Daily Diary report and Post-mortem report/Viscera Report so as to facilitate further process of the claim. It is urged that the necessary documents have already been furnished to the respondent authorities and inspite thereof the claim of the petitioner has not been finalized.

In view of the facts noticed hereinabove and the submissions advanced by counsel, I deem it appropriate to dispose of this instant writ petition with a direction to respondent No.1 i.e.The Secretary to Government of Haryana, Haryana State Agricultural Marketing Board, to take a final decision on the claim of the petitioner expeditiously and in any case within a period of two months from the date of receipt of certified copy of this order. In the eventuality of the claim of the petitioner being found to be admissible under the 2013 Yojna, the necessary amount would be released forthwith.

It is, however, clarified that the claim of the petitioner has not been examined by this Court on merits and it would be open for the respondent-Board to take a final decision strictly as per terms and conditions of the Yojana.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

11.01.2019

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No