

CWP-15852-2021

Date of decision : August 18, 2021

USHA MINOR THROUGH HER MOTHER

.....Petitioner

Versus

STATE OF HARYANA &ORS

.....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Dheeraj Narula, Advocate for the petitioner.

Mr. Sharan Sethi, Addl. AG, Haryana for respondents No. 1, 5 and 6.

Mr. Ashish Yadav, Advocate for respondents No. 2 to 4.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Petitioner seeks compensation on account of injuries/disability suffered by her due to electric shock/burns, which are alleged to have been caused on account of negligence on the part of respondent - Dakshin Haryana Bijli Vitran Nigam Ltd.

Learned counsel for the petitioner submits that despite submitting legal notice dated 24.02.2020 (Annexure P4), respondent-authorities are not taking any action on the petitioner's claim. Learned counsel for the petitioner has placed reliance upon a judgment of a coordinate Bench in CWP-14046-2012, titled ***Raman Versus State of Haryana and others***, decided on 02.07.2013, which has been upheld by the Hon'ble Supreme Court.

At this stage, learned counsel for the petitioner restricts the prayer for a decision on legal notice dated 24.02.2020 (Annexure P4), in a time bound manner.

Notice of motion.

Mr. Sharan Sethi, Addl. AG, Haryana, accepts notice on behalf of respondents No. 1, 5 and 6. Mr. Ashish Yadav, Advocate accepts notice on behalf of respondents No. 2 to 4.

Keeping in view the facts and circumstances of this case, but without any expression of opinion on the merits of the matter, this petition is disposed of with a direction to the competent authority to consider and decide legal notice dated 24.02.2020 (Annexure P4), after affording an opportunity of hearing to the petitioner, within a period of three months from receipt of certified copy of this order, while taking into account decision in the case of Raman Vs. State of Haryana (supra). In case, petitioner is found entitled to compensation, same be released within six weeks thereafter. In eventuality of a decision adverse to the petitioner, it be by way of a speaking order.

Writ petition is disposed of accordingly.

August 18, 2021
rts

(Lisa Gill)
Judge

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No