

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1594 of 2022

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Anil Kumar Son of Late Lalji Prasad, resident of Village - Dighwa, P.O.-
Bhadura, P.S. Masaurhi, District - Patna (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through Bihar Electricity Board through its Chairman,
Vidyut Bhawan, Patna.
2. The Managing Director, South Bihar Power Distribution Company Ltd.,
Vidhyut Bhawan, Patna.
3. The Deputy Secretary, South Bihar Power Distribution Company Ltd.,
Vidhyut Bhawan, Patna.
4. The Engineer-in-Chief, Masaurhi, Bihar Electricity Board, Patna.
5. The Chief Engineer, Masaurhi, Bihar Electricity Board, Patna.
6. The Superintending Engineer, Masaurhi, Bihar Electricity Board, Patna.
7. The Executive Engineer, Masaurhi, Bihar Electricity Board, Patna.
8. The Assistant Engineer/SDO, Masaurhi, Bihar Electricity Board, Patna.
9. The Junior Engineer, Masaurhi, Bihar Electricity Board, Patna.
10. The Joint Director of Account and its companion of Bihar Electricity Board,
Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ravinder Kumar Sharma, Adv
For the Respondent/s : Mr.Lalit Kishore (AG)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 20-06-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

1. That this application has been filed for issuance of Writ in the nature of certiorari for quashing the letter No. 174/SB-XIII/misc A.C - 1001/2018 dated 05.07.2019 issued under the signature of respondent no 3 by which, without applying its independent judicial mind and even without going through the material available on record rejected the claim of petitioner for award of compensation, only on the ground that respondent no 7 has not found any default or lack of department in the accident of electrocution due to which father of petitioner has died.

And further a writ of mandamus be issued directing the officials respondent to pay the compensation of Rs. 9,00,000/- (Nine Lac) with interest @ 18% per annum as the father of petitioner died due to electrocution due to fault on the part of respondents.

In view of the response filed by respondent no. 2 since disputed issues of fact with regard to the cause of death have arisen, we are not inclined to entertain the present petition save

and except leave it open for the petitioner to take recourse to such other alternative efficacious remedies as are otherwise available in accordance with law.

According to petitioner, his father died on account of electrocution on the road, whereas according to the respondent no. 2, based on the investigation conducted (private in nature), on three different occasions, the deceased did died of electrocution but in his fields and that too to while he was trying to illegally irrigate the fields by unauthorizedly connecting the motor to the electric wire.

Well we do not express our opinion on the averments made, but in view of the disputed position, we leave it for the petitioner to agitate the issue before the appropriate forum.

The writ petition is, accordingly, disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	
Transmission Date	NA