

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5580 of 2022

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Bulbul Devi W/o Late Raj Kishor Sah, Resident of Village Mughalsarai, P.S.
Sahebpur Kamal, P.O. Sanaha, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Begusarai.
2. The Sub Divisional Officer, Ballia, District- Begusarai.
3. The Officer-In-Charge P.S. Sahebpur Kamal, District- Begusarai.
4. The Bihar State Power Holding Company Ltd through its Secretary Vidyut Bhawan, Patna.
5. The Managing Director, North Bihar Power Distribution Company Ltd. Vidyut Bhawan, Patna.
6. The Superintending Engineer, Electric Supply Division, Begusarai.
7. The Executive Engineer, Supply Division- Begusarai.
8. The Assistant Engineer, Electric Supply Division, Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Sinha, Advocate Mr. Chandan Kumar Singh, Advocate Mr. Ravi Sarthi, Advocate
For the Respondent/s	:	Mr. Sanjeev Kumar, Advocate Mr. Subash Prasad Singh, GA-3 Mr. Vinay Kirti Singh, Sr. Advocate Mr. Akhileshwar Singh, Advocate

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

Date : 25-07-2022

Heard learned counsel for the parties.

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

“1. For issuance of writ of appropriate nature, directing the respondents concerned to immediately give compensation to the petitioner, who is a widow



with small children and whose husband died as a result of electrocution due to the negligence of the respondent company, who failed to maintain the over head electric line which was hanging and the petitioner's husband accidentally came in touch with live hanging wire.”

In the instant case, the unfortunate incident took place on 24th of November, 2013 in which husband of the petitioner died as a result of electrocution. Petitioner made several representations which did not yield any positive result. It is only when the petitioner preferred the instant petition in the year 2022, the respondents have now taken action of sanctioning a sum of ₹2 lacs, which undisputedly stands remitted into the petitioner's bank account.

It is argued that petitioner was entitled for a sum of ₹4,00,000/- (four lacs) as per the current policy of the respondent Board.

On behalf of the petitioner, it is contended that if the Board were to favourably consider release of additional sum of ₹2,00,000/- (two lacs), petitioner would feel satisfied with respect to all claims.

We are of the considered view that even though petitioner's case may not strictly fall within the current/revised policy, nonetheless, since petitioner has been pursuing the



matter with the respondent authorities since the year 2013, it would be only in the fitness of circumstances that the respondent shall pay additional sum of ₹2,00,000/- (two lacs) to the petitioner towards full and final settlement of all claims.

The order is passed in the peculiar facts and circumstances and shall not be treated as a binding precedent. What has also weighed with us is the fact that the respondent Board has not paid any interest on the amount which was due and payable to the petitioner way back in the year 2013 itself. Any way, to put an end to the entire controversy, as is mutually agreed, we dispose of the present petition on the following terms:-

(a) Petitioner shall be entitled to additional sum of ₹2,00,000/- (two lacs) towards full and final settlement as compensation on account of death of her husband namely, Shri Raj Kishor Sah, who died as a result of electrocution;

(b) The said amount shall be remitted into the petitioner's bank account within a period of two weeks from today;

(c) All claims of the petitioner already stands settled.

The instant petition stands disposed of in the aforesaid terms.



Interlocutory Application(s), if any, shall stand disposed
of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	29.07.2022
Transmission Date	

