

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1439 of 2021

=====

Kaushal Kumar son of Ram Krit Prasad resident of Village- Shrigaon, Police Station- Koch, District- Gaya (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Managing Director, South Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Road, Patna.
3. The General Manager (Power Supply), South Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Road, Patna.
4. The Electrical Superintending Engineer, Gaya Electric Supply, South Bihar Power Distribution Company Limited, Gaya (Bihar).
5. The Electrical Executive Engineer, Power Supply Division Gaya, South Bihar Power Distribution Company Limited, Gaya (Bihar).
6. The Assistant Electrical Engineer, Electric Supply Sub- Division, Koch, Police Station- Koch, District- Gaya (Bihar).
7. The Junior Electrical Engineer, Electric Supply Section, Sub- Division Koch, Police Station- Koch, District- Gaya (Bihar).

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Ram Naresh Sharma, Advocate
For the Respondent/s	:	Mr. Rajiv Roy, GP-1
		Mr. Kumar Priya Ranjan, Advocate

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/Hon'ble Judges through Video Conferencing from their residential offices/residences. Also the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

Date : 24-01-2022

Petitioner has prayed for the following relief(s):

“For issuing an appropriate writ or writs,



order or orders, direction or directions for commanding the respondents by an order to pay compensation to petitioner for death of his son caused by electrocution due to negligence of the officials of the respondent no.1”

In the response, respondents, while admitting the petitioner’s claim, in fact, have, after holding a due enquiry, concluded the petitioner’s entitlement for compensation of Rs.4,00,000/-. Recommendation to such effect stands communicated vide communication dated 10.10.2021 (Annexure-R-5A). The relevant contents of the affidavit are reproduced as under:

“4. That it is submitted that on the issue involved, a committee was constituted, who after due enquiry came to conclusion that the claimant is entitled to get compensation as per law and has recommended for Rs. 5 lakh as compensation and vide letter dated 10.10.2021 has been sanctioned in favour of the petitioner by the office of the respondent no. 5.

5. That the amount so sanctioned will be credited in the account of the petitioner/claimant. The account detail has to be provided by the claimant/petitioner at the earliest to the respondent.”

We dispose of the petition in the following terms:

(a) The respondent shall positively remit the sanctioned amount of Rs.4,00,000/- into the bank account of the petitioner;

(b) Needful be positively done within a period of



one week from the date of supply of the particulars of the bank account;

(c) In the peculiar facts of the instant case, petitioner shall be entitled to cost of Rs.10,000/- as litigation fees; and

(d) Liberty reserved to the petitioner to initiate proceedings in accordance with law seeking higher compensation, should he feel the need to do so.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/chn

AFR/NAFR	
CAV DATE	
Uploading Date	28.01.2022
Transmission Date	

