

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18068 of 2021

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Budhiya Devi Wife of Late Mahendra Yadav, Village-Narayanpur, P.O.-
Nasratpur, P.S.-Sandesh, District-Bhojpur-802161.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Energy Department,
Govt. of Bihar, Patna.
2. The Managing Director, South Bihar Power Distribution Company Ltd.,
Vidyut Bhawan, Baily Road, Patna.
3. The Superintendent Engineer, Electrical SBPDCL, Electricity Supply Circle,
Ara, Bhojpur.
4. The Executive Engineer (Electrical), SBPDCL, Electricity Supply Division,
Ara, Bhojpur.
5. The Superintendent of Police, Bhojpur.
6. The Officer-in-Charge, Sandesh Police Station, Bhojpur, Ara.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Rakesh Prabhat, Advocate
For the Respondent/s	:	Mr. Vinay Kirti Singh, Sr. Advocate
		Mr. Akhileshwar Singh, Advocate
		Dr. Anand Kumar, Advocate
		Mr.Abbas Haider (S.C. 6)

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

Date : 29-06-2022

Heard learned counsel for the parties.

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

“That the present writ petition is being filed
for issuance of writ of Mandamus to the respondent
authority to pay the adequate compensation to the
petitioner as per law, whose husband Mahendra Yadav,
aged about 42 years, died due to Electrocution in the
agriculture filed, on 09.08.2019.”

According to Shri Vinay Kirti Singh, learned Senior Counsel, the present petition has become infructuous, inasmuch as, as is evident from the averments made in para-7 of the counter affidavit, a sum of Rs. 4 lacs already stands disbursed and remitted into the account of the petitioner.

The relevant para of the affidavit is extracted as under:-

“That it is humbly submitted that the answering respondents vide office order No. 129 dated 23.12.2021 and also vide corrigendum office order No. 134 dated 23.12.2021 as well as Letter 3158 dated 27.12.2021, a sum of Rs. 4,00,000/- has been sanctioned against compensation amount in favour of the petitioner and the same has been credited in the bank account No. 70040700016346 of the petitioner through RTGS.”

In view of the same, we are of the considered view that it shall be open for the petitioner to initiate appropriate proceedings for claiming compensation on account of the death of her husband Late Shri Mahendra Yadav.

As and when any such proceedings are initiated, the same shall be decided expeditiously, in accordance with law,

preferably within a period of one year.

It is made clear that we have not expressed any opinion on the merits of the case. All issues are left open.

Petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Rajiv/veena-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	