

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 21612 OF 2022

Chandramani Khamari

....

Petitioner

Mr. Bijaya Kumar Nayak, Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. Swayambhu Mishra,
Additional Standing Counsel

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

14.09.2022

Order No.

01. 1. This matter is taken up through hybrid mode.
2. The Petitioner in this writ petition prays for a direction to the Opposite Party Nos.2 to 4 to pay compensation of Rs.1,00,000/-to the Petitioner for death of his son, namely, Sachidananda Pradhan on account of electrocution.
3. It is submitted by Mr. Nayak, learned counsel that earlier the Petitioner had approached this Court in W.P.(C) No.24759 of 2021 claiming compensation for death of his son, namely, Sachidananda Pradhan due to electrocution. The said writ application was disposed of on 7th September, 2021 with a direction to the Secretary Energy Department, Government of Odisha to consider the representation of the Petitioner dated 26th June, 2021 within a period of three months from the date of production of certified copy of this order. Accordingly, a decision has been taken by the Energy Department on 6th April, 2022 holding as under:

“After examining all the relevant documents, it is observed that the Petitioner does not deserve for compensation as per clause-4 (IV) of OERC Compensation to victims of Electrical Accident, Regulation 2020. However, as a purely humanitarian gesture Rs.100,000/- (one lakh) only be paid by the DISCOM (TPCODL) to the parents of the deceased. This shall not be cited as a precedent in future. The DISCOM and EIC (Electricity) directed to intensify efforts to create awareness on electrical safety, so that such unfortunate incidents do not happen in future.

The representation of the petitioner is accordingly disposed of.”

4. It is submitted by Mr. Nayak, learned counsel for the Petitioner that in spite of such direction of the Government of Odisha, no compensation has yet been paid to the Petitioner. In view of the above, the Petitioner made a representation to the Chief Executive Officer,(DISCOM), TPCODL, Odisha, Bhubaneswar-Opposite Party No.2 on 20th June, 2022 under Annexure-7. But, no action has yet been taken on the same and no compensation has been paid to the Petitioner. Hence, this writ petition has been filed.

5. Mr. Mishra, learned Additional Standing Counsel submits that since the matter is pending before the Chief Executive Officer,(DISCOM), TPCODL, Odisha, Bhubaneswar-Opposite Party No.2, he may take a decision on the same and communicate it to the Petitioner.

6. Taking into consideration the submissions made by learned counsel for the parties, this Court without expressing any opinion on the merits of the case of the Petitioner, disposes of the writ petition with a direction that on production of certified copy of this order, the Chief Executive Officer,(DISCOM),

TPCODL, Odisha, Bhubaneswar-Opposite Party No.2 shall do well to take a decision on the representation of the Petitioner as expeditiously as possible preferably within a period of four weeks therefrom and communicate the same to the Petitioner.

Urgent certified copy of this order be granted on proper application.

(K.R. Mohapatra)
Judge

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