

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

242

**CWP-2082-2021 (O&M)
Date of decision: 09.11.2022**

SUMAN DEVI AND ANOTHER

.....Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Chirag Kundu, Advocate
for the petitioners.

Mr. Sharan Sethi, Addl. A.G. Haryana.

Mr. Dhruv Walia, Advocate
for respondents No.2 to 6.

Mr. Narender Kaajla, Advocate
for respondents No. 7 & 8.

VINOD S. BHARDWAJ, J. (Oral)

The present writ petition has been filed under Articles 226 /227 of The Constitution of India, 1950 seeking issuance of direction to the respondents to compensate the petitioners on account of death of Balvinder Singh-husband of petitioner No.1 which had occurred due to electrocution attributable to the negligence on the part of the respondents.

Learned counsel appearing on behalf of the petitioners contends that on 29.05.2020 at about 7:15 A.M., husband of the petitioner namely Balvinder Singh alongwith his brother Baksha Singh were going to their agriculture field and when Balvinder Singh tried to

switch on the button of the Tubewell installed in the agriculture field he came in contact with one naked wire in the shape of stay wire and earth wire which was broken and dispatched from electricity pole and transformer due to which the husband of the petitioner No.1 was caught by lightning and was electrocuted resulting to death on the spot due to electrocution. Thereafter a DDR No. 11 dated 29.05.2020 was registered at Police Station, Assandh.

Learned counsel appearing on behalf of the respondents No.2 to 6, however, contends that the incident in question had taken place on 29.05.2020 and that the policy dated 08.07.2019 notified by the UHBVNL relating to compensation to the victims for fatal/non-fatal accidents was then in force and that in the event of the petitioners submitting their claim before the competent authority as per the policy, the same shall be considered and an expeditious decision in terms of the above policy shall be taken thereupon.

The aforesaid contention/offer is accepted by the counsel for the petitioner without causing prejudice to his rights.

The present petition is thus disposed of with the consent of the respective parties and without causing prejudice to their respective rights and without commenting on the merits of their respective claims and while granting liberty to the petitioners to approach the respondent authorities for seeking disbursement of compensation in terms of applicable policy.

Needless to mention that in the event of filing of such claim/representation by the petitioners before the competent authority as per the policy, the same shall be decided expeditiously by the

competent authority preferably within a period of 04 months from the date of filing of the such claim/representation, after granting an opportunity of hearing to the respective parties.

Accordingly, the present petition is disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

(VINOD S. BHARDWAJ)
JUDGE

NOVEMBER 09, 2022

Vishal sharma

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No