

CWP-1861-2022(O&M),
CWP-2111-2022(O&M) &
CWP-2227-2022(O&M)

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

Date of decision:15.09.2022

1.CWP-1861-2022(O&M)

KURBAN ALI AND ANR.

....Petitioners

Versus

UTTAR HARYANA BIJLI VITRAN NIGAM LTD. AND ANR.

...Respondents

2. CWP-2111-2022(O&M)

RUDRA PAL AND ANOTHER

....Petitioners

Versus

UTTAR HARYANA BIJLI VITRAN NIGAM LIMITED AND ANR.

...Respondents

3.CWP-2227-2022(O&M)

RAM AVTAR AND ANOTHER

....Petitioners

Versus

UTTAR HARYANA BIJLI VITRAN NIGAM LIMITED AND ANR

...Respondents

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

Present : Mr. S.K. Tandon, Advocate
for the petitioners.

Mr. R.D. Bawa, Advocate
for the respondents.

VINOD S. BHARDWAJ. J. (ORAL)

Three writ petitions are being disposed of by a common order since the aforesaid three writ petitions arise out of the same incident that had resulted in death of three different persons. For the facility of reference, the facts in the present case are extracted from CWP-1861-2022 titled as 'Kurban Ali and Anr Vs. Uttar Haryana Bijli Vitran Nigam Ltd and Anr.'

The petitioners in the present batch of writ petitions have sought compensation on account of death due to electrocution. Three persons namely Munish Ansari, Nitish and Anuj had succumbed as a result of an electrocution incident.

Learned counsel for the petitioners contends that the deceased were working as labour in G.S. Company near Khotpura road in Panipat. On the date of incident on 07.12.2019, the deceased persons succumbed on account of electrocution injuries as a result of 11000 KV high tension wire which was closely hanging by the roof. It is contended that the respondent authorities had not taken adequate safety and security measures and that on account of the principles of strict liability, they would be obligated to compensate the petitioners on account of untimely death of the persons mentioned above.

Learned counsel appearing on behalf of respondents contends that the incident is dated 07.12.2019 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 petitioners without prejudice to his rights.

The present petition is thus disposed of with the consent of the respective parties and without prejudice to their respective rights and without commenting on the merits of their respective claims 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/representations 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/representations, after granting an opportunity of hearing to the respective parties.

Accordingly, the present petitions are disposed of.

(VINOD S. BHARDWAJ)
JUDGE

15.09.2022
Amandeep

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>