

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

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**CWP-3740-2021 (O&M).
Date of Decision: 15.09.2022.**

Sunita and others

...Petitioners

Versus

**Managing Director, Dakshin Haryana Bijli Vitran Nigam Limited
and others**

...Respondents

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

Present: Mr. Vishal Yadav, Advocate,
for the petitioners.

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

VINOD S. BHARDWAJ. J.

The instant petition has been filed under Articles 226/227 of the Constitution of India for seeking issuance of appropriate writ, order or direction in the nature of mandamus directing the respondents to grant compensation on account of death of Om Parkash Lokesh due to electrocution on 09.01.2020.

Learned counsel for the petitioners, contends that on 09.01.2020, there was sparking in the electricity wire in the plot/house of the petitioners leading to apprehension of fire due to sparking. Resultantly, petitioner No.1 requested the deceased to disconnect

electricity from the transformer to avert greater harm. When the deceased Om Parkash touched the handle to shut down the electricity supply, the live wire got in contact with the deceased resulting in his death at the spot. An FIR No.0014 dated 09.01.2020, under Section 304-A of the Indian Penal Code, (Annexure P-1) was registered at Police Station Khol, District Rewari, in this regard.

Learned counsel appearing on behalf of respondents – DHBVNL contends that the incident is dated 01.09.2020 and that the policy dated 15.07.2019 notified by the respondents - DHBVNL relating to compensation to the victims for fatal/non-fatal accidents was then in force and that in the event of the petitioner submitting his 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 their 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 petitioner 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 petitioner 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.

September 15, 2022
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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