

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

247

CWP-3258-2020 (O&M).

Date of Decision: 14.11.2022.

Prem Kumar and another

...Petitioners

Versus

State of Haryana and others

...Respondents

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

Present: Mr. Dheeraj Narula, Advocate,
for the petitioners.

Ms. Harsh Rekha Kapoor, AAG, Haryana,
for respondent No.1.

Ms. Prabhjot kaur, Advocate, for
Mr. Ashish Yadav, Advocate, for respondents No.2 to 4.

VINOD S. BHARDWAJ. J (ORAL)

The instant petition has been filed under Article 226 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 Rohit (son of the petitioners) due to electrocution on 25.07.2019.

Learned counsel for the petitioner contends that deceased Rohit was a regular student of 10th class in Government Model Sanskriti Senior Secondary School at Sirsa and on the fateful day i.e. on 25.07.2019, the deceased had gone to the said school along with his friend Pawan Kumar to attend his school and when they were coming

back to home on motorcycle being driven by Pawan Kumar, at about 1:00 P.M., they were caught by iron pole which was having live current as the street lights were on and both the boys were hit by the current and there was no sign board affixed on the pole mentioning the wording "Danger." Both the boys were referred to General Hospital, Sirsa, however, deceased Rohit was declared 'brought dead.' A DDR No.20 dated 25.07.2019 as well as FIR No.453 dated 26.07.2019 under Sections 304-A of the Indian Penal Code, (Annexure P-1) was registered at Police Station City, Sirsa, in this regard.

Learned counsel appearing on behalf of respondents – DHBVNL contends that the incident is dated 25.07.2019 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 petitioner without prejudice to her 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.

November 14, 2022
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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