

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

368

CWP-2874-2022(O&M)
Date of decision:15.09.2022

SUBE KHAN AND ORS

....Petitioners

Versus

UTTAR HARYANA BIJLI VITRAN NIGAM AND ORS

...Respondents

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

Present : Mr. Ketan Antil, Advocate
for the petitioners.

Mr. R.D. Bawa, Advocate
respondents.

VINOD S. BHARDWAJ. J. (ORAL)

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 for disbursement of compensation to the petitioner on account of death of Mohd. Zunaid (son of the petitioner) due to electrocution.

Learned counsel for the petitioners contends that Mohd. Zunaid i.e. son of the petitioner (since deceased) died as a result of electrocution due to live electric wire which was lying broken in the fields near brick-klin. He further contends that the aforesaid incident took place as a result of negligence on the part of respondent authorities in exercising adequate precaution.

Learned counsel appearing on behalf of respondents contends that the incident is dated 26.11.2017 and that the policy dated 18.05.2017 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 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 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.

(VINOD S. BHARDWAJ)
JUDGE

15.09.2022
Amandeep

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