

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

112+237

**CWP-5195-2021 (O&M).
Date of Decision: 27.09.2022.**

Ram Kanwar and another

...Petitioners

Versus

State of Haryana and others

...Respondents

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

Present: Mr. P.S. Jangu, Advocate, for
Mr. J.P. Jangu, Advocate for the petitioners.

Mr. Vivek Chauhan, AAG, Haryana.

Mr. Satyam Tandon, Advocate, for respondent Nos.2 and 3.

VINOD S. BHARDWAJ. J (ORAL)

CM-3737-CWP-2022

The instant application has been filed under Section 151 of the Civil Procedure Code, for placing on record the written statement on behalf of respondent Nos.2 and 3.

The application is allowed subject to all just exceptions.

Written statement on behalf of respondent Nos.2 and 3, is taken on record.

Registry is directed to tag the same at appropriate place.

Main case

The present writ petition has been filed under Articles 226/227 of the Constitution of India, 1950 seeking issuance of a writ in the nature of mandamus directing the respondents to pay the compensation to the petitioners on account of death of their only son due to electrocution attributable to negligence on the part of the respondents.

Learned counsel appearing on behalf of the petitioners contends that the petitioners received a telephonic call that their son had come in contact with an open wire hanging loose on an electric pole and that he was admitted in PGI. A DDR No.008 dated 29.08.2019, was registered in this regard at Police Station, Urban Estate, Rohtak, and post mortem was also conducted by the Civil Hospital, Meham, Rohtak. The cause of death thus was ascertained as electrocution. Hence, compensation has been prayed for on account of death of only son of the petitioners.

Learned counsel appearing on behalf of respondents contends that the incident is dated 28.08.2019 and that the policy dated 08.07.2019 notified by the respondents - 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 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 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.

September 27, 2022
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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