

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

326

**CWP-6336-2021 (O&M).
Date of Decision: 15.09.2022.**

Jyoti and others

...Petitioners

Versus

State of Haryana and others

...Respondents

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

Present: Mr. Shakti Singh, Advocate, for
Mr. Balraj Gujjar, Advocate,
for the petitioners.

Mr. Vivek Chauhan, AAG, Haryana, for respondent No.1.

Mr. R.D. Bawa, Advocate, for respondent Nos.2 to 4.

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 untimely death of deceased Sunil Kumar due to electrocution.

Learned counsel for the petitioners contends that the petitioners who are heirs of deceased Sunil Kumar are seeking compensation on account of untimely demise of Sunil Kumar who was employed on the post of Assistant Lineman on contract basis under the

outsourcing policy. It is further contended that the deceased Sunil Kumar was engaged by the respondent Nos.2 to 4 – DHBVNL under the outsourcing policy on 10.07.2014 and was working with the respondent Nos.2 to 4 – DHBVNL till 07.02.2020 on which date he died as a result of electrocution. An FIR No.71 dated 07.02.2020, under Section 304-A of the Indian Penal Code, (Annexure P-1) was registered at Police Station Tosham, District Bhiwani, in this regard.

Learned counsel appearing on behalf of respondents – DHBVNL contends that the incident is dated 07.02.2020 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