

**IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH**

385

CWP-10539-2022
Date of Decision: 15.09.2022

SUMAN LATA AND ORS

... Petitioners

Versus

STATE OF HARYANA AND OTHERS

... Respondents

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

Present: Mr. B.K. Bagri, Advocate
for the petitioners.

Mr. Pankaj Mulwani, DAG, Haryana.

Mr. B.R. Mahajan, Sr. Advocate with
Ms. Nikita Goel, Advocate for respondents No.2 to 4.

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 Certiorari raising a challenge to the reply to legal notice dated 26.11.2021 (Annexure P-11) passed by respondent No.4 vide which compensation to the petitioners on account of death of late Ranbir Singh due to electrocution had been denied.

Learned counsel for the petitioners contends that deceased Ranbir Singh was an agriculturist and was also engaged in labour work pertaining to agriculture for earning his livelihood. He contends that deceased Ranbir Singh had suffered severe injuries as a result of electrocution. He further contends that the deceased had himself submitted a complaint to the authorities of DHBVNL on 04.09.2019 regarding electric wires hanging very low and had expressed apprehension of severe injury in case the same are not repaired. The said complaint was duly registered by the respondent

authorities, however, the respondent authorities did not pay any heed towards the same. Learned counsel further contends that on 19.09.2019, deceased Ranbir Singh died as a result of electrocution while working in the fields and a General Diary No.12 dated 19.09.2019 was also registered in the Police Station City Mahendergarh. The petitioners claimed compensation for the untimely death of Ranbir Singh due to negligence on the part of the respondent authorities. It is also contended that the petitioners had sent a legal notice to the respondent authorities, however, the same has been replied to by the respondents authority on 26.11.2021, declining the claim of the petitioner without adverting to the applicable policy.

Learned counsel appearing on behalf of respondents No.2 to 4 contends that the incident is dated 19.09.2019 and that the policy dated 08.07.2019 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 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 such claim/representation, after granting an effective opportunity of hearing to the respective parties.

Accordingly, the present petition stands disposed of.

15.09.2022
rajender

(VINOD S. BHARDWAJ)
JUDGE

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