

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

387

CWP-11156-2022
Date of Decision: 15.09.2022

KALAVATI AND OTHERS

... Petitioners

Versus

DAKSHIN HARYANA BIJLI VITRAN NIGAM LTD. AND ANR.

... Respondents

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

Present: Mr. Sunil Kumar Tandon, Advocate
for the petitioners.

Mr. R.D. Bawa, Advocate with
Mr. Dipanshu Kapur, Advocate
for the respondents.

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been filed under Articles 226/227 of the Constitution of the India for issuance of a writ in the nature of Mandamus directing the respondents to pay the compensation to the tune of Rs.50,00,000/- on account of death of Surjit Kumar, husband of petitioner No.1 who died due to electrocution.

Learned counsel for the petitioners contends that the deceased husband of the petitioner No.1 was engaged as a labourer with the contractor of the Electricity Department. On 08.10.2020, deceased Surjit Kumar had gone for work at village Bangaon to change the wires of electric lines. On account of negligence on the part of the officials of the respondents, the electric lines were energized without caring for the husband of the petitioner No.1, who was still working on the wires. As a result thereof, the husband the petitioner No.1 lost his life. An FIR No.190 dated 08.10.2020 under Section

304-A of the IPC was registered at Police Station Bhatu Kalan, District Fatehabad.

Learned counsel appearing on behalf of respondents contends that the incident is dated 08.10.2020 and that the policy dated 15.07.2019 notified by the DHBVNL 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 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