

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

112+405

**CM-14470-CWP-2022 &
CM-14472-CWP-2022 in/and
CWP-15699-2021 (O&M)
Date of Decision: 15.09.2022**

POOJA AND OTHERS

... Petitioners

Versus

DAKSHIN HARYANA BIJLI VITRAN NIGAM LTD. AND ORS.

... Respondents

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

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

Mr. B.R. Mahajan, Sr. Advocate with
Ms. Nikita Goel, Advocate for respondents.

VINOD S. BHARDWAJ, J. (ORAL)

CM-14470-CWP-2022

Allowed as prayed for.

CM-14472-CWP-2022

The instant application has been filed under Order VI Rule 17 read with Section 151 of the C.P.C. for amendment in the writ petition by adding a new paragraph No.15. Amended writ petition has also been attached with the instant application.

Notice in the application to the counsel opposite.

Learned counsel for the respondents accepts notice and expresses his 'no objection' to the application being allowed.

In view of the above, the instant application stand allowed as prayed for.

Amended writ petition, attached with the instant application, is taken on record. Registry is directed to tag the same at appropriate place of the paper book and page mark the same.

MAIN CASE

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.60,00,000/- with interest @ 18% per annum w.e.f. 29.05.2020 on account of death of Yashvir, who died due to electrocution by 11 KV overhead electric lines

Learned counsel for the petitioners contends that the deceased Yashvir was working as a lineman in a private company on contract basis. Deceased Yashvir, the husband of the petitioner No.1 got electrocuted when he was repairing the power cable at a transformer and he collided with electric wires. Due the electric shock, his hands and feet were completely scorched. He was shifted to Apollo hospital, where he was declared dead.

Learned counsel appearing on behalf of respondents contends that the incident is dated 29.05.2020 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