

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

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CWP-15156-2022
Date of Decision: 15.09.2022

RAJBIR AND OTHERS

... Petitioners

Versus

UTTAR HARYANA BIJLI VITRAN NIGAM LTD. & ORS.

... Respondents

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

Present: Ms. Sonia S. Singh Samber, Advocate
for the petitioners.

Mr. B.R. Mahajan, Sr. Advocate with
Ms. Nikita Goel, Advocate for 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 hold a proper inquiry as per notification dated 18.05.2017 (Annexure P-4) and further to pay compensation in view of the policy dated 18.05.2017 to the petitioners for loss of their son Rajesh Kumar who died due to electrocution.

Learned counsel for the petitioners contends that on 02.06.2020 deceased Rajesh Kumar had gone to the roof to remove iron pipes. At that point of time, the iron pipe touched the 11 KV high tension electric wire, which was hanging at a very low height. Resultantly, Rajesh Kumar died due to electrocution. A DDR No.15 dated 02.06.2020 was also recorded at Police Station Butana, District Karnal.

Learned counsel appearing on behalf of respondents contends that the incident is dated 02.06.2020 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 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