

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

398

CWP-17162-2022
Date of Decision: 15.09.2022

RAMKALI

... Petitioner

Versus

STATE OF HARYANA AND OTHERS

... Respondents

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

Present: Mr. Sonit Sinhmar, Advocate
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana
for the respondents No.1 and 4.

Mr. B.R. Mahajan, Sr. Advocate with
Ms. Nikita Goel, Advocate for respondents No.2 & 3.

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 petitioner who has lost her only son due to electrocution that took place due to negligence on the part of the respondent department.

Short reply by way of affidavit of Om Parkash, HPS, Deputy Superintendent of Police, Samalkha, District Panipat has been filed today in Court. Copy thereof has been furnished to the learned counsel for the petitioner.

Learned counsel for the petitioner contends that on 27.11.2020 at about 9:00, when the deceased was spraying water on the roof of his house, he got electrocuted due to the current flowing through the cut in the outgoing 11 KV wire of electricity. He was taken to Government Hospital, Panipat, where he was declared as 'brought dead'. An FIR No.0146 dated 27.11.2020

under Section 304-A of the IPC was also registered at Police Station Bapoli, District Panipat.

Learned counsel appearing on behalf of respondents contends that the incident is dated 27.11.2020 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 petitioner submitting her 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 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 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