

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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**CWP-21243-2021 (O&M).
Date of Decision: 15.09.2022.**

Vidhya Devi

...Petitioners

Versus

State of Haryana and others

...Respondents

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

Present: Mr. Sandeep Kotla, Advocate,
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana,
for respondent Nos.1 and 3.

Mr. Ashish Yadav, Advocate, for respondent Nos.2 and 4.

VINOD S. BHARDWAJ. J.

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 mandamus directing the respondents to grant compensation on account of death of deceased Ravi Kumar (son of the petitioner) due to electrocution.

Learned counsel for the petitioner contends that Ravi Kumar, son of the petitioner, was 23 years of age and was doing the business of mobile recharge under the name and style M/s Vidhya Sale

Agency. On 04.06.2015, the deceased had gone to Peer Dargaah for paying obeisance when he was electrocuted due to live wire hanging by that side. He was taken to the Govt. Hospital Fatehabad, where death was found to be as a result of electric shock which was anti-mortem in nature. An FIR No.442 dated 09.07.2015 under Section 304-A of the Indian Penal Code, (Annexure P-1) was registered at Police Station City, Fatehabad, District Fatehabad, in this regard.

Sh.Ashish Yadav, Advocate, appearing on behalf of respondent Nos.2 and 4 claims that the petitioner has directly approached this Court without approaching the concerned Department regarding her grievance and consideration of the claims. He contends that the incident is dated 04.06.2015 and that the policy dated 22.02.2017 notified by the respondents - DHBVNL relating to compensation to the victims for fatal/non-fatal accidents was then in force and that in the event of the petitioner submitting his 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 her 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 the such claim/representation, after granting an opportunity of hearing to the respective parties.

Accordingly, the present petition is disposed of.

September 15, 2022
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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