

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

350

**CWP-22138-2021 (O&M).
Date of Decision: 15.09.2022.**

Raj Bati

...Petitioner

Versus

Dakshin Haryana Bijli Vitran Nigam Limited and another

...Respondents

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

Present: Mr. Virendra Rana, Advocate,
for the petitioner.

Mr. Ashish Yadav, Advocate, for the respondents.

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 Kunwar Pal @ Kumar Pal, (husband of the petitioner) due to electrocution on 30.06.2021.

Learned counsel for the petitioner contends that deceased Kunwar Pal @ Kumar Pal was working in his fields on 30.06.2021 when he was electrocuted on account of the overhead live wires. The same were energized on account of absence of insulators and proper maintenance. An FIR No.130 dated 01.07.2021 under Sections 304-A and 34 of the Indian Penal Code, (Annexure P-3) was registered at Police Station Hassanpur, District Palwal, in this regard.

Learned counsel appearing on behalf of respondents – DHBVNL contends that the incident is dated 30.06.2021 and that the policy dated 15.07.2019 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 petitioner 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