

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

116

CWP-22063-2022

Date of decision: 23.09.2022

ANSHU THROUGH HER NATURAL GUARDIAN

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

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

Present:- Mr. Sunil K. Sabore, Advocate with
Mr. Kuldeep Sharma, Advocate
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana
for respondents No.1 and 6.

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

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Article 226/227 of the Constitution of India in the nature of Mandamus for seeking issuance of compensation on account of injury sustained by the petitioner due to electrocution leading to loss of her right arm and fingers of the left hand.

2. Learned counsel appearing on behalf of the petitioner contends that the petitioner is a minor aged about 06 years and that a high tension wire was running in front of the house that almost touched the grill fence of the house of the petitioner. Father of the petitioner had made numerous requests to the authorities to shift the said wire away from the house, however, there was no heed paid to the aforesaid request.

3. That on 25.01.2022 at around 3:00 P.M., the petitioner was playing on the terrace of her house. She heard a sound which attracted her towards the balcony. Resultantly, she came in contact with high tension wire and got severe burn injuries. She was immediately taken to Soni Devi Hospital, Neemrana, Rajasthan from where she was referred to PGI, Chandigarh on 26/27.01.2022. During treatment at PGI, the right arm of the petitioner was amputated from her shoulder alongwith contracture of left hand's ring and little finger leading to 92% permanent disability of the little girl. A FIR bearing No. 0067 dated 01.03.2022 was also registered under Section 338 of the IPC, at Police Station Ateli, District Mahendergarh.

4. Notice of motion

5. Mr. Pankaj Mulwani, DAG, Haryana appears and accepts notice on behalf of respondents No.1 and 6.

6. Ms. Nikita Goel, Advocate appears and accepts notice on behalf of respondents No.2 to 5.

7. Learned counsel appearing on behalf of respondents contends that the incident is dated 25.01.2022 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 petitioner 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.

8. The aforesaid contention/offer is accepted by the counsel for the petitioner without prejudice to their rights.

9. 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.

10. 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.

(VINOD S. BHARDWAJ)
JUDGE

SEPTEMBER 23, 2022

Vishal sharma

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