

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

373

CWP-4415-2022(O&M)
Date of decision:15.09.2022

BARIRA AND ORS.

....Petitioners

Versus

THE STATE OF HARYANA AND ORS.

...Respondent(s)

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

Present : Mr. Parmenda Bhukal, Advocate for
Mr. S.K. Saini, Advocate
for the petitioners.

Mr. Pankaj Mulwani, DAG, Haryana.

Mr. B.R. Mahajan, Sr. Advocate with
Ms. Nikita Goyal, Advocate
for the No.2 and 3.

VINOD S. BHARDWAJ. J. (ORAL)

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 for disbursement of compensation to the petitioners on account of death of Amzad due to electrocution.

Learned counsel for the petitioners contends that Amzad was sitting on a tractor going through the field. He received an electric current due to the high voltage electric line passing over. Amzad succumbed to the injuries sustained on account of electrocution. An FIR No.224 dated 13.09.2021 had also been registered at Police Station Pillukhera, District Jind for offences under Sections 279, 304-A IPC.

Learned counsel appearing on behalf of respondents No.2 and 3 contends that the incident is dated 01.09.2021 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 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

15.09.2022
Amandeep

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