

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

302

CWP-29418-2019

Date of decision: 15.09.2022

AMIT

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

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

Present:- Mr. Jitender Dhanda, Advocate
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana.

Mr. R.D. Bawa, Advocate with
Mr. Samuel Gill, Advocate and
Mr. Dipanshu Kapur, Advocate
for the respondents No.2 and 3.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been preferred under Article 226/227 of the Constitution of India, 1950 seeking issuance of directions in the nature of Mandamus for disbursement of compensation for the injuries sustained by the petitioner due to electrocution which resulted into amputation of the right arm of the petitioner.

Learned counsel appearing on behalf of the petitioner contends that the petitioner was suffering from allergy and had visited the Government Hospital, Hansi for treatment on 19.01.2018. At about 10:00-11:00 A.M., the petitioner was playing outside and suffered injuries in his right arm on account of touching against the transformer kept on the ground and the said transformer was not well protected or

fenced off. Consequently, FIR No. 241 dated 15.05.2018 was registered under Section 336 and 338 of the IPC at Police Station, Hansi. The petitioner claims to have remained admitted at PGIMS Rohtak for a period of 02 months and his right arm had to be amputated.

Learned counsel appearing on behalf of respondents No.2 & 3 contends that the incident is dated 19.01.2018 and that the policy dated 22.02.2017 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 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 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 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 15, 2022

Vishal sharma

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