

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

120

**CWP-26392-2022 (O&M).
Date of Decision: 18.11.2022.**

Robin

...Petitioner

Versus

State of Haryana and others

...Respondents

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

Present: Mr. Divyam Singh, Advocate,
for the petitioner.

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 directing the respondents to grant compensation on account of injuries suffered by the petitioner due to electrocution because of negligence on the part of the respondents as the petitioner has lost his left hand and has become 100% disabled.

Learned counsel for the petitioner contends that on 13.10.2020 when the petitioner was at his home, his buffalo started running towards Islamic Madarsa and the petitioner ran behind the buffalo, however, an electric wire having the capacity of 11000 K.W.

passing near the Islamic Madarsa which was at a very low level and left loose by the respondents authorities, fell on his hand and he became unconscious. The petitioner was taken to hospital for treatment which ultimately led to amputation of his left hand as a result of which petitioner has become 100% disabled. A DDR No.25 dated 22.10.2020, was registered at Police Station Rozka Mev, District Nuh (Annexure P-1), in this regard.

Learned counsel for the petitioner contends that the incident is dated 13.10.2020 and that the policy dated 15.07.2019, appended with the present petition as Annexure P-6, notified by the respondents - DHBVNL relating to compensation to the victims for fatal/non-fatal accidents was then in force and at this juncture that, he would be satisfied in case a direction is issued to the respondent authorities 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 without being influence by the reply already filed by them.

In view of above prayer, the present petition is disposed of without prejudice to the respective rights of the parties 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 and while considering the claim of the petitioner, the respondent authorities shall remain uninfluenced by the reply already filed by them.

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.

November 18, 2022
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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