

CWP-4968-2023

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

108

CWP-4968-2023  
Date of decision: 11.05.2023

ANISH KHAN

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

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

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Present:- Mr. Pankaj Mehta, Advocate  
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana  
for respondent No.1.

Mr. Vivek Chauhan, Advocate  
for respondents No. 2 to 5.

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**VINOD S. BHARDWAJ, J. (Oral)**

The writ jurisdiction of this Court has been invoked for seeking compensation to the petitioner who lost his arm and also suffered serious injuries due to electrocution that occurred on account of negligence of the respondents No.6 & 7, who are the employees of DHBVN.

Learned counsel appearing on behalf of the petitioner contends that the petitioner is a Diploma holder in the electrical trade from Govt. Polytechnic College, Hisar and has also completed practical training with the department-respondent No.5. Having experience in the electrical work and practical training, the respondents No.6 & 7 used to call the petitioner for redressal of the electricity complaints or grievances by sending him to the spots and places where the

fault/defect used to occur. The petitioner was offering his services for the larger public cause. On 19.03.2022, respondent No. 7-Bansi Lal came to his house and stated that respondent No.6-Balwan Singh has instructed him to ask the petitioner to rectify the error of fuse. On the request of respondents No.6 & 7, he went to the spot alongwith respondent No.7 and demanded gloves for doing the work but respondent No.7 assured the petitioner that the electricity line has been disconnected and there is nothing to worry. On the above assurance, the petitioner agreed to do the work. While climbing the transformer, he suddenly got electric shock and fell down after becoming unconscious. He was taken to the Hospital where he was diagnosed with electric burn upto 3<sup>rd</sup> degree. He had to undergo various surgeries. During his treatment the petitioner lost his left hand and his right hand also became crippled. Matter was reported to the police and an FIR No. 288 dated 14.05.2022 under Sections 338, 109, 114 read with Section 34 of the IPC at Police Station Adampur was also registered. The petitioner moved from pillar to post for seeking compensation but the respondents have not taken any action on the request till date.

Notice of motion.

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

Mr. Vivek Chauhan, Addl. A.G. Haryana appears and accepts notice on behalf of respondent No. 2 to 5.

Learned counsel appearing on behalf of respondents No.2 to 5 contends that the incident is dated 19.03.2022 and that the policy dated 15.07.2019 notified by the DHBVN 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 with 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 offer is accepted by the counsel for the petitioners without prejudice to his rights.

The present petition is thus disposed of with the consent of the respective parties, 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 a claim/representation by the petitioner before the competent authority as per the policy, the same shall be decided expeditiously by the competent authority and 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.

The present petition is disposed of accordingly.

**(VINOD S. BHARDWAJ)**  
**JUDGE**

**MAY 11, 2023**

*Vishal sharma*

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