

2023:PHHC:155284

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

242

CWP-6514-2022

Date of decision: 05.12.2023

ANANDI CHOUHAN AND ANR.

.....Petitioners

VERSUS

UTTAR HARYANA BIJLI VITRAN NIGAM AND OTHERS

.....Respondents

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

Present:- Mr. Rajesh Goyal, Advocate
for the petitioners.

Mr. R.D. Bawa, Advocate,
Mr. Samuel Gill, Advocate and
Ms. Dipanshu Kaur, Advocate
for the respondents No.1 and 2.

Mr. Pranav Chadha, Advocate
for respondent No.3-BBMB.

VINOD S. BHARDWAJ, J. (Oral)

The present writ petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of writ in the nature of mandamus for directing the respondents to give Rs. 50 lacs as compensation on account of death of Suraj son of Anandi due to negligence of the respondents.

Learned counsel appearing on behalf of the petitioners contends that on 25.04.2019, at about 3:00 PM Suraj S/o Anandi was playing with the condenser on the roof of the house and unfortunately

while playing with the condenser he came in contact with the 1100 k.v. Electric wire (HT line) passing near the roof of the house and suffered heavy current and was burnt badly. Thereafter, Suraj was admitted to Civil Hospital and then he was referred to PGI, Rohtak from where he was shifted to Safdarganj Hospital, Delhi and during the treatment he succumbed to his injuries. A DDR No. 19 dated 28.04.2019 was also registered against the said incident. The post mortem of the deceased was conducted by the doctors in Safdarjung Hospital, Delhi. The petitioner spent huge amount on the treatment of the deceased while he was admit in Hospital and he died due to the negligence of the respondents.

Learned counsel appearing on behalf of respondents contends that the incident has occurred on 25.04.2019 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 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 petitioners to approach the respondent authorities for seeking disbursement of compensation in terms of the

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

DECEMBER 05, 2023

Vishal sharma

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