

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

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**CWP-10554-2021 (O&M).
Date of Decision: 06.01.2023.**

Roshni Devi and another

...Petitioners

Versus

State of Haryana and others

...Respondents

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

Present: Mr. Karamveer Singh Banyana, Advocate,
for the petitioners.

Mr. Vivek Chauhan, Addl. A.G. Haryana.

Mr. Dhananjay Mittal, Advocate,
for respondents No.2 and 3.

VINOD S. BHARDWAJ. J.

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 death of son of the petitioners namely Sushil Kumar due to electrocution.

Learned counsel appearing on behalf of the petitioners contends that on 09.07.2019 at about 10:30 P.M. when the deceased son of the petitioners namely Sushil Kumar after taking bath put his underwear on the iron window, he was badly electrocuted after which he was taken to Sidharth Hospital Shahabad from where the doctors

referred him to CHC Hospital, Shahabad where he was declared brought dead. He submits that post mortem of the deceased was conducted on 10.07.2019 at LNJP Civil Hospital, Kurukshetra and cause of death as mentioned in the post mortem report (Annexure P-3) is electrocution. He submits that DDR No.010 dated 10.07.2019 (Annexure P-2) was registered at Police Station, Shahabad, in this regard. He further submits that a legal notice (Annexure P-5) was also sent by the petitioners on 02.11.2020 to the respondents – UHBVNL seeking compensation on account of death of deceased Sushil Kumar due to electrocution.

Learned counsel appearing on behalf of respondents No.2 and 3 – UHBVNL has referred to the reply filed on behalf of the respondents and has submitted that the representation (Annexure P-5) appended with the petition by the petitioner has neither been received by the respondents – UHBVNL, nor any postal receipt has been annexed with the present petition.

Learned counsel appearing on behalf of respondents – UHBVNL, however, contends that the incident is dated 09.07.2019 and that the policy dated 08.07.2019 notified by the respondents - 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 and 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.

The present petition is accordingly disposed of.

January 06, 2023
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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