

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

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**CWP-11455-2019 (O&M).
Date of Decision: 31.07.2023.**

Karamjit Kaur**...Petitioner****Versus****State of Haryana and others****...Respondents****CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ**

Present: Mr. R.P.S. Jamwal, Advocate for
Mr. P.S. Jammu, Advocate, for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana.

Mr. R.D. Bawa, Advocate, and
Mr. Dipanshu Kapur, Advocate,
for respondents No.3 to 5.

VINOD S. BHARDWAJ. J (ORAL)

The present writ petition has been filed under Articles 226/227 of the Constitution of India, 1950 seeking issuance of a writ in the nature of mandamus directing the respondents to pay compensation to the petitioner on account of death of her son Sukhmandar Singh son of Kashmir Singh due to electrocution attributable to negligence on the part of the respondents.

Learned counsel appearing on behalf of the petitioner contends that on 26.02.2018, Sukhmandar Singh while constructing the house of Jaspal Singh son of Sh. Sarjeet Singh, resident of Jalalana, was electrocuted with High Tension wires of 11000 voltage and sustained serious burn injuries. He was taken to Civil Hospital, Odhan where the

doctors declared him dead. He further submits that police had recorded the statements of the witnesses and had presented report under Section 174 of the Code of Criminal Procedure. He further submits that Post Mortem Examination Report has also been appended with the present petition as Annexure P-1. Hence, compensation has been prayed for on account of death of Sukhmandar Singh due to negligence on the part of the respondents.

Notice of motion in the present case had been issued on 20.08.2019, however, no reply has been filed till date.

Learned counsel appearing on behalf of petitioner contends that the incident is dated 26.02.2018 and that the policy dated 22.02.2017 notified by the respondents - DHBVNL relating to compensation to the victims for fatal/non-fatal accidents was then in force and that at this juncture, he would be satisfied in case a direction is issued to the respondent-authorities that in the event of the petitioner submitting her 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.

Learned counsel appearing on behalf of the respondents has no objection to the aforesaid prayer being allowed.

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 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 such claim/representation, after granting an opportunity of hearing to the respective parties.

Accordingly, the present petition is disposed of.

July 31, 2023
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No