IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

238

CWP-1282-2021 (O&M).
Date of Decision: 08.02.2023.

Jagir Singh and others

...Petitioners

Versus

Uttar Haryana Bijli Vitran Nigam Limited and another

…Respondents

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

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Present: Mr. Rajiv Kumar Saini, Advocate,
for the petitioners.

Mr. R.D. Bawa, Advocate,
Mr. Randhir Bawa, Advocate, and
Mr. Dipanshu Kapur, Advocate, for the respondents.

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VINOD S. BHARDWAJ. J.

CM-1892-CWP-2022

The instant application has been filed under Section 151 of the Code of Civil Procedure, 1908 for correction of parentage of petitioners No.2 to 4 in the Memo of Parties.

Notice in the application had been issued on 25.02.2022, however, no reply has been filed even though a period of nearly one year has elapsed.

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Learned counsel appearing on behalf of the respondents have no objection to the aforesaid prayer being granted.

The application is allowed subject to all just exceptions.

Amended Memo of Parties is taken on record.

The Registry is directed to tag the same at appropriate place.

Main case

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 untimely death of wife of petitioner Nol.1 and mother of petitioners No.2 to 4 due to electrocution.

Learned counsel appearing on behalf of the petitioners contends that the deceased Jasbir Kaur died on 10.07.2020 while working in the fields due to electrocution on account of open wires. He submits that FIR No.255 dated 10.07.2020 under Sections 304-A, 323 and 326 of the Indian Penal Code was also registered at Police Station Sadar, Indri, District Karnal, in this regard. He contends that a legal notice was sent on behalf of the petitioners, however, the respondents - UHBVNL have not taken any action on the same. Hence, the present petition.

Learned counsel appearing on behalf of respondents – UHBVNL by referring to the written statement contends that the incident is dated 10.07.2020 and that the policy dated 08.07.2019

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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 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 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.

February 08, 2023. **(VINOD S. BHARDWAJ)**
raj arora **JUDGE**

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

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