

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

113

**CWP-15801-2023 (O&M).
Date of Decision: 26.07.2023.**

Mamta and others**...Petitioners****Versus****Uttar Haryana Bijli Vitran Nigam and another****...Respondents****CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ****Present:** Mr. Rajesh Goyal, Advocate for the petitioners.**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 petitioners on account of death of Sushil son of Mahabir due to electrocution attributable to negligence on the part of the respondents.

Learned counsel appearing on behalf of the petitioner contends that on 19.03.2023, husband of petitioner No.1 namely Sushil went to village Khalsa for working in agricultural land, however, due to naked wires, he suffered heavy electric current and burnt badly. He was taken to PGI, Chandigarh, where he died during treatment. He submits that in this regard G.D. request No.003 dated 28.03.2023 (Annexure P-2) was recorded at Police Station Gharaunda. He further submits that Post Mortem Examination Report has also been appended with the present petition as Annexure P-2. Hence, compensation has been prayed for on

account of death caused due to electrocution on account of negligence on the part of respondents .

Learned counsel appearing on behalf of petitioners contends that the incident is dated 19.03.2023 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 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 his 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.

Notice of motion.

Mr. Vivek Saini, Advocate, enters appearance and accepts notice on behalf of the respondents and he 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 petitioner 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 such claim/representation, after granting an opportunity of hearing to the respective parties.

Accordingly, the present petition is disposed of.

July 26, 2023
raj arora

(VINOD S. BHARDWAJ)
JUDGE
Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No