

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

114

**CWP-15807-2023 (O&M).
Date of Decision: 26.07.2023.**

Alok Kumar and another**...Petitioners****Versus****State of Haryana and others****...Respondents****CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ****Present:** Ms. Tejaswini, 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 Ranjit Kumar (father of petitioner No.1 and husband of petitioner No.2) due to electrocution attributable to negligence on the part of the respondents.

Learned counsel appearing on behalf of the petitioners contends that on 08.08.2022, petitioner No.1 was telephonically informed that Ranjit Kumar was struck with electric wires while he was present at the constructions site and was rushed to Manipal Hospital, Palam Vihar, Gurugram, however, he died on the way to hospital and was declared as 'brought dead.' He contends that a FIR No.114 dated 09.08.2022, under Section 304-A of the Indian Penal Code (Annexure P-2) was registered in this regard at Police Station Bajghera, District Gurugram, Haryana. 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 Ranjit Kumar due to negligence on the part of the respondents.

Learned counsel appearing on behalf of respondents – DHBVNL contends that the incident is dated 08.08.2022 and that the policy dated 15.07.2019 notified by the respondents - DHBVNL relating to compensation to the victims for fatal/non-fatal accidents was then in force and 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. Pankaj Mulwani, DAG, Haryana, accepts notice on behalf of respondent No.1 whereas Mr.Vivek Saini, Advocate, enters appearance and accepts notice on behalf of the respondents No.2 to 4 and they have 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