

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-27908-2018

Date of decision: 21.09.2023

CHANDER PATI AND ANOTHER

.....Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

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

Present:- Mr. Narender Kaajla, Advocate
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana
for respondent No.1.

Mr. R.D. Bawa, Advocate with
Mr. Samuel Gill, Advocate and
Mr. Randhir Bawa, Advocate
for the respondents No.2 and 3-DHBVNL.

VINOD S. BHARDWAJ, J. (Oral)

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 for disbursement of compensation to the petitioners on account of death of Randhir-son of the petitioners due to electrocution.

Learned counsel appearing on behalf of the petitioners contends that on 18.07.2018 at about 8:00 P.M. deceased Randhir son of the petitioners while cleaning the roof for the marriage function came in contact with live electric wire passing adjacent the roof and he

became unconscious due to electrocution and thereafter he was taken to the Civil Hospital, Barwala for treatment where he was further referred to General Hospital, Hisar and doctor declared him brought dead. The matter was reported to the police and DDR No.223 dated 19.07.2018 was registered in the Police Station Barwala on the statement of one Sandeep. The post-mortem was conducted vide PMR No.RK/108/2018/Hsr dated 19.07.2018 and doctor has also opined that deceased died due to electrocution.

Learned counsel appearing on behalf of respondents contends that the incident is dated 18.07.2018 and that the policy dated 22.02.2017 notified by the DHBVNL 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 petitioner without prejudice to his 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 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.

Accordingly, the present petition is disposed of.

(VINOD S. BHARDWAJ)
JUDGE

SEPTEMBER 21, 2023

Vishal sharma

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