

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

116

CWP-18632-2023

Date of decision: 24.08.2023

GITA

.....Petitioner

VERSUS

HARYANA STATE AGRICULTURE MARKETING BOARD AND
ANOTHER

.....Respondents

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

Present:- Mr. Randeep Tanwar, Advocate
for the petitioner.

Mr. Vivek Saini, Advocate
for respondents No.1 and 2-HSAMB.

VINOD S. BHARDWAJ, J. (Oral)

Prayer in the present petition is for seeking quashing of the order dated 05.08.2022 (Annexure P-5) passed by respondent No.2 i.e. Secretary-cum-Executive Officer, Market Committee Gharaunda, District Karnal whereby the claim of the petitioner for financial assistance on account of death of Shakti Singh (husband of the petitioner) in terms of the Mukhyamantri Kisan & Khetihar Majdoor Jiwan Suraksha Yojna, 2013 had been rejected.

It is the case of the petitioner that her deceased husband-Shakti Singh was an agriculturist and used to work in the fields of one Yograj on profit sharing basis. While spraying pesticides in the fields on 12.03.2022, he got intoxicated by it and fell on the ground whereupon he was taken to Kalpana Chawla Government Medical College, Karnal. He died during treatment. The postmortem

report also clarify presence of the pesticides. It is argued that the petitioner is accordingly entitled for compensation under Clause 3 sub clause (g) of the Mukhyamantri Kisan & Khetihar Majdoor Jiwan Suraksha Yojna, 2013. The claim was accordingly for the financial assistance, however, the same has been declined by the Executive Officer-cum-Secretary of the Market Committee, Gharaunda.

Mr. Vivek Saini, Advocate while appearing on behalf of respondents No.1 and 2-Haryana State Agriculture Marketing Board, contends that impugned order was passed in the year 2002 and a statutory remedy of appeal before the Chief Administrator of the Board is provided and as per the above said scheme, the petitioner has an efficacious alternative remedy.

In view of the efficacious alternative remedy available to the petitioner, the present petition is disposed of as not pressed at this stage with liberty to the petitioner to approach the Chief Administrator against the impugned judgment.

Needless to mention that in the event of any such appeal being filed, the same shall be decided expeditiously by the Appellate Authority and preferably within a period of 06 months after granting of an opportunity to the respective parties.

(VINOD S. BHARDWAJ)
JUDGE

AUGUST 24, 2023

Vishal sharma

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