

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

120

CWP-1804-2024 (O&M)
Date of decision: 29.01.2024

Poonam and others

...Petitioners

VERSUS

State of Haryana and others

...Respondents

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

Present :- Mr. Gaurav Sharma, Advocate for the petitioners.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of Mandamus directing the respondents to pay the compensation to the tune of Rs.2 crores to the petitioners being legal heirs of deceased-Rinku son of Bawa Singh, who died on account of electrocution, in accordance with the Compensation Policy dated 08.07.2019.

Learned counsel for the petitioners contends that petitioner No.1 is wife, petitioners No.2 to 5 are minor children and petitioner No.6 is mother of deceased Rinku. Deceased-Rinku was a rag picker who used to do the work of collecting cardboard, empty bottles etc. by roaming around on his motorcycle in the nearby villages daily. On 10.05.2021, at around 7

o'clock in the morning in village Jansui, when Rinku was collecting cardboard and empty bottles etc., a broken electric wire of 11,000 watt current was passing over the area and Rinku suddenly collided with that broken wire and suffered electrocution injuries and unfortunately succumbed to the said injuries on the same day. The incident in question had taken place due to the sole negligence of the electricity Board. The matter was reported to the police and a DDR/GD No.19 dated 10.05.2021 (Annexure P-2) was registered at Police Station Naggal, Ambala. Petitioner No.1 moved a representation dated 14.07.2021 (Annexure P-6), but no action has been taken by the respondents on the said representation.

Notice of motion.

Mr. Pankaj Mulwani, DAG, Haryana, accepts notice on behalf of respondents-State.

Mr. Vivek Saini, Advocate appears and accepts notice on behalf of respondents No.2 and 3-UHBVNL.

Learned counsel appearing on behalf of respondents contends that the incident is dated 10.05.2021 and that the policy dated 08.07.2019 notified by the UHBVNL relating to compensation to the victims of 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 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.

29.01.2024

Mangal Singh

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No