

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

113

CWP-1406-2024 (O&M).
Date of Decision: 23.01.2024.

MAHINDER SINGH AND ANOTHER

.. Petitioner(s)

Versus

UTTAR HARYANA BIJLI VITRAN NIGAM LIMITED AND
OTHERS

... Respondent(s)

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

Present: Mr. Rajiv Kumar Saini, Advocate,
for the petitioners.

VINOD S. BHARDWAJ, J. (ORAL)

Prayer in the instant writ petition is for seeking direction to the respondents to decide the legal notice dated 02.11.2023 (Annexure P-7) and to award compensation to the petitioner in terms of Policy dated 18.05.2017.

Notice of motion to respondents No.1 and 2/UHBVNL only.

Mr. Vivek Saini, Advocate, enters appearance and accepts notice on behalf of respondents No.1 and 2/UHBVNL.

Learned counsel for the petitioner has been confronted with the fact that the earlier writ petition bearing CWP No.1236 of 2017 titled as 'Mahinder Singh Vs. State of Haryana and others,' filed by the petitioner was disposed of vide order dated 02.08.2023 with liberty to the petitioner to prefer a claim petition under the Employees' Compensation Act, in accordance with law. However, notwithstanding the aforesaid order dated

02.08.2023, the present writ petition has been filed after submitting a representation/legal notice to the respondent Authorities. He has been further confronted with the fact that the above said policy even suggests that the same has come into force w.e.f. 18.05.2017 and since the incident in question is dated 12.05.2014, the benefits under the above said policy cannot be given retrospectively, counsel for the petitioner submits that he does not press the instant petition at this stage, however, liberty be granted to the petitioner to pursue his remedies in accordance with law and in terms of the liberty already granted vide order dated 02.08.2023 passed in CWP-1236-2017 (supra).

Disposed of as not pressed with liberties as aforesaid.

23.01.2024
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(VINOD S. BHARDWAJ)
JUDGE

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