

2024:PHHC:075238



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-12568-2024 (O&M).
Date of Decision: 27.05.2024.

Veer Singh

...Petitioners

Versus

State of Haryana and others

...Respondents

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

Present: Mr. Hakam Singh, Advocate,
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana,
for respondent Nos.1 to 3.

Mr. Vivek Saini, Advocate, for respondents No.4 to 6.

VINOD S. BHARDWAJ. J.

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 directing the respondents to grant compensation to the tune of Rs. One Crore on account of death of Paramjeet Singh (son of the petitioner) due to electrocution.

Learned counsel for the petitioner contends that on 01.08.2018, respondents No.7 to 10 i.e. the officials of Dakshin Haryana

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Bijli Vitran Nigam Limited (DHBVNL) came to the village of the petitioner and asked his son along with one Hardeep Singh son of Kashmir Singh to accompany them to Jiwan Nagar for some labour work. It is submitted that due to the negligence on the part of officials of respondents-Dakshin Haryana Bijli Vitran Nigam Limited son of the petitioner along with other labourers were electrocuted by the live wires running on the poles and they died at the spot. It is further submitted that son of the petitioner was taken to Civil Hospital, however, the doctors declared him as 'dead'. He submits that a copy of the PMR is appended with the present writ petition as Annexure P-1 and copy of death certificate is appended as Annexure P-2 whereas a copy of the FIR No.345 dated 19.09.2018 under Sections 304-A, 336 and 337 of the Indian Penal Code, 1860, registered at Police Station Rania, District Sirsa, is appended as Annexure P-3.

Notice of motion to respondents No.1 to 6 only at this stage.

Mr. Pankaj Mulwani, DAG, Haryana, accepts notice on behalf of respondents No.1 to 3 whereas Mr. Vivek Saini, Advocate, enters appearance on behalf of respondents No.4 to 6. Learned counsel for respondents No.4 to 6 submits that the incident is dated 01.08.2018 and that the policy dated 22.02.2017 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

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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 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.

May 27, 2024
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(VINOD S. BHARDWAJ)
JUDGE

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