

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6470 of 2017

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Sunita Devi Wife of Late Naresh Sah, Resident of Village- Banghara,
Kishanpur, Police Station- Ghatho, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Energy Department, Bihar
2. The Collector and District Magistrate, Samastipur.
3. The Chief General Manager, Electricity Board, Vidhyut Bhawan, Bailey Road, Patna.
4. The Executive Engineer, Electricity Dept. Vidyapati Nagar/Ghato, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar @ Vijay Kr. Singh
For the State	:	Mr. Abbas Haider- SC 6
For the Respondent	:	Mr. Ritesh Kumar, Advocate
Nos 3 and 4		

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 14-02-2025

1. The Writ petition has been filed seeking directions to the respondent authorities to pay compensation of Rs. 10 lakhs to the petitioner, as her husband, the only earning member of the family, died by electrocution due to the carelessness/fault of the Electricity Department.

2. A counter affidavit was filed on behalf of the respondent Electricity Department,



contending that a sum of Rs. 50,000/- was paid to the petitioner as *ex-gratia* in the event of the fatal electrical accident, i.e., the death of the petitioner's husband, as per the Bihar State Electricity Board's circular. It is further contended in the counter affidavit that the petitioner is claiming a compensation amount of Rs. 10 lakhs, as her husband was a farmer, but no document has been annexed to show her husband's earnings. However, Respondent Nos. 3 and 4 paid the *ex-gratia* amount as per the circular, and the *ex-gratia* is not based on earnings.

3. At this juncture, the Learned counsel for the respondents contended that since this matter is squarely covered under the order dated 19.03.2024 passed in **CWJC No. 8470 of 2022 (Nizamuddin Ansari Vs. The Bihar State Power Holding Company Limited & Ors.)** by this Court in which this Court has passed the order in light of a judgment passed by the Hon'ble Apex Court in the case of **Chairman, Grid Corporation of Orrisa Ltd. & Ors. Vs. Sukamani Das & Anr**



reported in **(1999) 7 SCC 298** this Writ petition may also be disposed of on the same terms and conditions.

4. Heard the Learned counsel for the petitioner as well as the Learned counsel for the respondents.

5. After perusal of the aforesaid judgment, the Learned counsel for the petitioner seeks liberty to make appropriate application for compensation before the appropriate authority/forum.

6. Having regard to the submissions made by the Learned counsel for the petitioner, the present Writ petition stands disposed of in terms of the aforesaid judgment passed in **CWJC No. 8470 of 2022 (supra)** and also with liberty to the petitioner to seek necessary compensation by approaching the concerned Civil Court and in case, any such petition is filed, the same is expected to be disposed of expeditiously by the Learned court below.

7. With the aforesaid direction the Writ



petition stands disposed of.

8. Interlocutory Application(s), if any,
shall stands disposed of.

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.02.2025
Transmission Date	

