

(2013) 08 P&H CK 0811

High Court Of Punjab And Haryana At Chandigarh

Case No: Civil Writ Petition No. 18798 of 2011

Gulshan Kumar

APPELLANT

Vs

State of Punjab and Others

RESPONDENT

Date of Decision: Aug. 14, 2013

Acts Referred:

- Constitution of India, 1950 - Article 226, 227

Hon'ble Judges: Rameshwar Singh Malik, J

Bench: Single Bench

Advocate: Naresh Kaushik, for the Appellant; Piyush Bansal, DAG, Punjab for State, Mr. Ajay Bhardwaj, Advocate and Mr. Vikas Chatrath, Advocate, for the Respondent

Final Decision: Disposed Off

Judgement

Rameshwar Singh Malik, J.

Feeling aggrieved against the alleged inaction on the part of respondent authorities, petitioner has approached this Court by way of instant writ petition under Article 226/227 of the Constitution of India, seeking a writ in the nature of mandamus. Learned counsel for the petitioner, at the very outset, fairly states that he has got instruction to say that during the pendency of this writ petition, the respondents have shifted the electric line from the houses of ward no. 13 of village Khanpur, which is one of the prayer made in the present writ petition. He further submits that qua the second prayer of the petitioner for claiming compensation from the respondents on account of the death of Sagar, son of the petitioner, he did not approach the competent authority raising his demands before filing the present writ petition. He submits that given an opportunity, petitioner will approach respondent No. 4 within a period of three weeks from today by moving an appropriate representation for claiming compensation.

2. In view of the above, without expressing any opinion on the merits of the case, Managing Director, Punjab State Power Corporation Limited, Patiala-respondent No.

4 is directed that if the petitioner approaches him by moving an appropriate representation for claiming compensation on account of death of his son within a period of three weeks from today, the grievance raised by the petitioner shall be considered sympathetically and decide the same at an early date by passing an appropriate order thereon, in accordance with law but in any case within a period of two months from the date of receipt of a representation from the petitioner.

3. It is further directed that respondent No. 4 shall also grant an opportunity of being heard to the petitioner before passing an appropriate order. Petitioner shall be at liberty to produce any relevant instructions, policy decision or a judgment for consideration of respondent No. 4. If, after due consideration of the matter, respondent No. 4 comes to the conclusion that petitioner was entitled for any amount of compensation, the same shall be released in favour of the petitioner without any further loss of time. With observations made and directions issued hereinabove, the instant writ petition stands disposed of.