

(2024) 07 PAT CK 1543

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No.17810 of 2017

Harkheet Kumar

APPELLANT

Vs

State Of Bihar And Others

RESPONDENT

Date of Decision : 02-07-2024

Acts Referred:

Citation : (2024) 07 PAT CK 1543

Hon'ble Judges : G. Anupama Chakravarthy, J

Bench : Single Bench

Advocate : Sudhir Singh, Y.Pd.Sinha, Y.Madhavi

Final Decision : Disposed Of

Judgement

G. Anupama Chakravarthy, J

1. Heard the Learned counsel for the parties.

2. The petitioner has filed the instant application for the following reliefs:

".....to make payment of adequate compensation to the petitioner as his son sustained grievous injury due to fall of live electric wire on his 5 years old son caused amputation of left leg and left hand and became 75% handicapped.."

(ii) For a direction to the respondent to make payment of medical bill arising out of treatment of petitioner's son with reasonable interest.

(iii) For any other relief/reliefs for which the petitioner would be found entitled under the facts and circumstances of the case.

3. At the outset, the Learned counsel for the respondents submitted that the grievance of the petitioner has already been redressed, as the petitioner received a cheque No. 511928 dated 11.01.2018 of Rs. 1,00,000 on 12.01.2018 (Annexure-A) in accordance with Resolution No. 8678 dated 26.07.2012, issued by the Bihar State Electricity Board vide Memo No. 1953 dated 02.08.2012 (Annexure-B). Hence, this writ petition is fit to be dismissed.

4. However, the Learned counsel for the petitioner in support of his claim relied upon judgment of Hon'ble Supreme Court passed in Civil Appeal No. 1339 of 2017 : State of Himanchal Pradesh & Ors. Vs. Navval Kumar @ Rohit Kumar as well as a decision of Madras High Court passed in W.P. No. 5889 of 2020 : K. Rajavelu Vs. The Collector of Thiruvallur & Ors.

5. However, Learned counsel for the respondents contended that since this matter is squarely covered under the order dated 26.06.2024 passed in CWJC No. 19302 of 2016 (Dilip Mahto Vs. The State of Bihar & 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 (Smt) & Anr reported in (1999) 7 SCC 298 this writ petition may also be disposed of on the same terms and conditions.

6. Having regard to the submissions made by the Learned counsel for the parties, the present writ petition stands disposed of in terms of the aforesaid judgment passed in CWJC No. 19302 of 2016 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 concerned Civil Court.

7. With the aforesaid direction the writ petition stands disposed of.

8. Interlocutory Application, if any, shall stands disposed of.