

A MS. HARVINDER CHAUDHARY SRIVASTAVA
v.
UNION OF INDIA AND ORS.

NOVEMBER 27, 1995

B [K. RAMASWAMY AND B.L. HANSARIA, JJ.]

Writ—Compensation claim for loss of life—Injuries sustained—Supreme Court's directions regarding.

C In this writ petition legal representatives of some persons who died in a fire tragedy claimed compensation from Delhi Administration. The other petitioners claimed compensation for mental agony and injuries suffered by them as well as amount spent by them on medical treatment.

Disposing of the petition, this Court directed :

D 1. The claimants, legal representatives of deceased, shall be paid Rs. 10,000 towards compensation for the life of the deceased.

E 2. The claimant-mother whose son suffered extensive injuries on his person resulting in permanent disability shall be paid Rs. 12,000 i.e. Rs. 6,000 for amount spent on medical treatment and Rs. 6,000 for permanent disability of her son.

3. The claimant-father shall be paid Rs. 9,000 i.e. Rs. 5,000 for burn injury suffered by his son and Rs. 4,000 for the amount spent on his medical treatment.

F 4. Rs. 3,000 shall be paid to the lady claimant who suffered extensive injury on both arms i.e. Rs. 2,000 spent towards medical treatment and Rs. 1,000 for mental agony suffered by her.

G 5. The other lady claimant who suffered injury on her right hand shall be paid compensation of Rs. 5,000 i.e. Rs. 2000 towards her injury and mental agony and Rs. 3,000 spent by her on medical treatment.

CIVIL ORIGINAL JURISDICTION : Writ Petition (C) No. 218 of 1992.

H (Under Article 32 of the Constitution of India).

Petitioner-in-person.

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Dr. A.M. Singhvi, Sushil Kumar Jain, B. Krishna Prasad, R.K. Maheshwari and Jayant Nath for the Respondent.

The following Order of the Court was delivered :

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Jairatum Bibi, wife of Jakim Ansari, residing in No. 57, Sanjay Amar Colony is the legal representative of Saidur and Rabia. Delhi Administrative has no objection to pay Rs. 10,000 towards compensation for the life of each of the two deceased to the sole legal representative daughter, Jairatun Bibi. They are accordingly directed to pay to her through Ms. Harvinder Chaudhary, counsel appearing for them.

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Similarly, Abdul Hasan is one of the persons residing in Amar Colony died in fire. His brother, Mehtab, son of Syed Shekh, now residing in 404, Sanjay Amar Colony is the legal representative of the deceased. Similarly, Delhi Administration is directed to pay Rs. 10,000 to Mehtab towards compensation for the life of the deceased.

D

Son of Mrs. Bhanu, wife of Sudin Ansari suffered extensive injuries on his person resulting in permanent disability. Mrs. Chaudhary has placed on record the photographs to prove the extent of injury suffered by him. We have seen them. Mrs. Bhanu has stated that she spent a sum of Rs. 6,000 towards her son's medical treatment. As reported, he suffered permanent disability of right leg and is able to walk only by limping. Under these circumstances, Delhi Administration is directed Rs. 6,000 towards medical treatment spent by her and a further sum of Rs. 6,000 towards permanent disability i.e., in total Rs. 12,000.

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Shri Ansari Shekh, son of Kurban Shekh, has a son whose photograph showing that his both the legs have been burnt in the fire, has been placed on record. It is stated that they have spent more than Rs. 4,000 for his treatment. Delhi Administration is directed to pay the total sum of Rs. 9,000, i.e., Rs. 4,000 towards treatment and Rs. 5,000 towards burn injury suffered by the boy.

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Similarly, Ms. Maya Mandal, wife of Madan Mandal resides in C-9c and 58 of the Colony also suffered on both her arms extensive injuries which have been shown in the photograph thereafter produced. She stated that she spent Rs. 2,000 towards her treatment. Delhi Administration is

H

A directed to pay Rs. 2,000 towards medical treatment and a sum of Rs. 1,000 for her mental agony, i.e., total sum of Rs. 3,000.

B Similarly, Mrs. Ufradin Bibi, aged about 26 years residing in C- 09, 196 Sanjay Amar Colony also suffered injury and her right hand has been burnt. The photograph has been shown which establishes that she has also become handicap due to disability. She is stated to have spent a sum of Rs. 3,000 towards her treatment. Delhi Administration is directed to pay a sum of Rs. 3,000 and a further sum of Rs. 2,000 towards her injury and mental agony, i.e., total sum of Rs. 5,000.

The writ petition is disposed of in terms of the above directions.

T.N.A.

Petition disposed of.