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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 1538/2021 & CM No.4414/2021

NEERAJ RAJBHAR (DISEASED) THROUGH
DEPENDENTS & ORS.

..... Petitioners

Through : Mr. Raashid Azam, Adv.

versus

BSES RAJDHANI POWER LIMITED & ORS. Respondents

Through : Mr. Sunil Femandes, Standing
Counsel with Mr. Shubham Sharma,
Advocate for R-1/BSES-RPE

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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12.02.2021

[PHYSICAL COURT HEARING]

CM No.4414/2021

1. Allowed, subject to just exceptions.

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2. This is a case where the legal representatives of the deceased Neeraj Rajbhar seek compensation for an accident which happened at the premises of the private respondent nos.2 to 4.

2.1 To be noted, respondent no.1 herein is BSES Rajdhani Power Private Limited (in short 'BSES').

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3. The legal representatives of the aforementioned deceased claim compensation from all the respondents referred to above. In support of their plea, reference is made to the following judgments passed by the two separate coordinate benches of this court in which BSES was also a party :

- (i) ***Munni Devi v. Government of NCT of Delhi & Anr. passed in W.P.(C)No.8432/2018 on 15.01.2021.***
- (ii) ***Mohd. Sagir v. BSES & Anr. passed in W.P.(C)No.5553/2012 on 05.10.2018.***

4. In the view of the ratio of the aforementioned judgments of this court, Mr. Sunil Fernandes, who appears on behalf of respondent no.1/BSES, will seek instructions on payment of interim compensation as prayed for in prayer clause (b) of the writ petition.

5. Issue notice to the respondents.

6. Mr. Sunil Fernandes accepts service on behalf of respondent no.1/BSES.

7. On steps being taken, notice shall issue to respondent nos.2 to 4 via all permissible means including e-mail.

8. List the matter on 05.04.2021.

RAJIV SHAKDHER, J

FEBRUARY 12, 2021

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[Click here to check corrigendum, if any](#)