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

+ **W.P.(CRL) 3201/2025**

NISHANT KUMAR

.....Petitioner

Through: Mr. Kartikay Kaushik, Advocate via
video-conferencing.

versus

THE STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Yasir Rauf Ansari, ASC for the
State.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **13.01.2026**

Learned counsel appearing for the petitioner submits, that respondent No.2 (wife of the deceased) is agreeable to receiving compensation of Rs.7.5 lacs for the death of her husband, who died by electrocution as a result of an incident in the factory of the petitioner.

Counsel submits, that in addition to the compensation of Rs.7.5 lacs, the petitioner has also offered to keep the brother of the deceased in his employment at a salary of Rs.19,000/- per month, which was the salary being drawn by the deceased.

The learned Predecessor Bench had also inquired from the brother of the deceased if he is willing to accept employment in the petitioner's factory. The brother is present in court. He states that he is willing to get employment there.

However, it is noticed that in order dated 02.12.2025, the learned Predecessor Bench has recorded the stand taken by the State, submitting that



considering his age, the deceased would be entitled to compensation of approximately Rs.19.2 lacs under the Employees Compensation Act, 1923.

The aforesaid notwithstanding, clearly there can be no guarantee that the petitioner would retain the brother in his employment throughout the latter's life; or indeed, whether the brother of the deceased would want to continue in such employment throughout.

It also transpires that even if the petitioner's brother accepts employment and is paid a salary of Rs.19,000/- per month, it is not as if the brother and the widow of the deceased reside at the same place. The brother states that he resides in Delhi; whereas the widow of the deceased (respondent No.2) resides in Ghazipur, Uttar Pradesh.

In the circumstances, after a brief interaction with the parties, as requested by learned counsel appearing for the petitioner, let the matter be placed before the learned Predecessor Bench of Sanjeev Narula, J. for consideration.

Accordingly, subject to orders of Hon'ble the Chief Justice, list before the Bench of Sanjeev Narula, J., on 16th January 2026.

ANUP JAIRAM BHAMBHANI, J

JANUARY 13, 2026

V.Rawat