



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**931 WRIT PETITION NO. 2296 OF 2017**

JAYA KASHIRAM KAMBLE  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

Mr. J.K. Bansod, Advocate for the petitioner (through VC).  
Ms. U.S. Bhosale, AGP for the respondent-State.  
Mr. A.S. Bajaj, Advocate for respondent Nos. 2 to 5.

**CORAM : KISHORE C. SANT &  
SUSHIL M. GHODESWAR, JJ.**  
**DATE : 07.05.2026**

**PC :-**

01. Heard learned Advocates for the petitioner and the respondents. The petitioner has approached this Court seeking compensation of Rs. 29 lakhs to the petitioner with interest towards an incident on 22.05.2016, wherein she lost her husband due to electrocution. It is her case that by way of interim relief, it is prayed that the respondent be directed to deposit Rs. 2 lakhs in this Court in view of the policy of the respondent Maharashtra State Electricity Distribution Company Ltd. (for short "MSEDCL") by administrative circular No. 192 dated 20.11.2008.

02. At the outset, learned Advocate for the petitioner informs

that he is not pressing prayer clause "B" i.e. seeking compensation of Rs. 29 lakhs. He has restricted this petition only to the extent of compensation of Rs. 2 lakhs in view of circular dated 20.11.2008. He further submits that now by way of another circular, the said amount of compensation is enhanced to Rs. 4 lakhs by administrative circular No. 533 dated 09.03.2016.

03. This petition is mainly opposed on the ground that the petitioner has already filed proceedings before the Labour Court and now enhanced amount is granted. Another ground on which the petition is vehemently opposed is that it is a case that the husband of the petitioner was working with a contractor, who was awarded contract by the MSEDCL for some work. Therefore, it is liability of the contractor to pay the compensation. The circulars of the respondent are in respect of the persons who are outsiders. Since the deceased was working with the contractor, who was given work of MSEDCL, he could not be said to be an outsider and therefore remedies are elsewhere. Learned Advocate Mr. Bajaj further apprehends that the petitioner may again sue the MSEDCL under any other law and seek compensation.

04. This Court has considered arguments of both sides. On

reading administrative circular No. 192 and 533, it is seen that these circulars are specifically for the persons who are outsiders and a fixed amount is to be paid as compensation. There is no question of the petitioner now claiming any more compensation, as it is her specific case that the amount claimed is under this circular and not under any other provision. The case was filed under the Employees Compensation Act, wherein learned Commissioner has already awarded amount of Rs. 8,06,640/- and also penalty of Rs. 4,03,320/- vide order dated 25.05.2022 in WCA (C) No.21 of 2017.

05. Considering all the above, this Court finds that now there may not be apprehension that the petitioner may again sue present respondents under any other law. Learned Advocate for the petitioner also makes a specific statement that except compensation under the said circular, he may not claim any other compensation. This Court finds that this takes sufficient care of the apprehension of the respondents – MSEDCL.

06. Considering the above, this Court finds that this petition needs to be allowed with following directions :-

- i) This Writ Petition is allowed.
- ii) The petitioner is held entitled to receive compensation in view of Administrative Circular No. 192 dated 20.11.2008 and would be entitled to receive compensation of Rs. 4,00,000/- (Rupees Four Lakhs) as provided by Administrative Circular No. 533 dated 09.03.2016, within six weeks from today.
- iii) If the amount as directed above is not paid within the stipulated time, the said amount shall carry interest @ 9% p.a. till realization of this amount. Earlier amount paid of Rs. 20,000/- (Rupees Twenty Thousand) shall be adjusted while making payment.

**[SUSHIL M. GHODESWAR, J.]**

**[KISHORE C. SANT, J.]**