

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

114

Civil Writ Petition No.6095 of 2015

Date of Decision: April 01, 2015

Paramjeet Kaur and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Dheeraj Mahajan, Advocate
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (ORAL)

It is the contention of the counsel for the petitioners that the petitioners are unfortunate legal heirs of deceased Amrit Pal, who was sole bread winner for the family. After retirement from B.S.F. as a Head Constable in the year 2008, from where he was getting pension, was running a diary with 10-12 buffaloes and was earning an income of ₹30,000/- to ₹35,000/- per month. He was also an agriculturist and it is during the process of watering his fields, because of a snapped live electric wire, he lost his life on 07.11.2014 at about 11:00 pm, when he had gone to the fields for watering the fodder crop. The respondents despite having been earlier also intimated about the electric wire being snapped from the main pole, no proper steps were taken so that such an incident should happen again, but unfortunately for the father/son/husband of the petitioners, he died because of negligence on the part of the respondent-Corporation the petitioners lost the sole bread winner for the family. A D.D.R. was recorded on the basis of which proceedings under Section 174 Cr.P.C. were conducted, wherein it

has come that Shri Amrit Pal has died because of electrocution on account of snapping of the electric wire.

Counsel for the petitioners submits that the petitioners have approached the Chairman of the Punjab State Power Corporation Limited-respondent No.2 vide representation dated 09.12.2014 (Annexure P-4), as also the Chief Electrical Inspector, Punjab State Power Corporation Limited, dated 09.12.2014 (Annexure P-5), but till date, no response thereto has been received, where the petitioners have claimed compensation for the negligence/inaction on the part of the respondents, which has led to the loss of life of the sole bread winner for the family. Counsel has placed reliance upon various judgments passed by the Supreme Court, specially **M.P. Electricity Board Vs. Shail Kumari, 2002(2) SCC 162, Parvati Devi and others Vs. Commissioner of Police, Delhi and others, 2000(3) SCC 754 and Raman Vs. Uttar Haryana Bijli Vitran Nigam Ltd. And others, 2015(1) R.C.R.(Civil) 353**, to contend that the respondents need to compensate the petitioners. Counsel, therefore, contends that the petitioners are entitled to the claim, as has been made by them in the representations dated 09.12.2014 (Annexures P-4 and P-5).

In view of the submissions made by the counsel for the petitioners, this Court is of the considered opinion that the respondent No.2-The Chairman, Punjab State Power Corporation Limited, be at the first instance directed to consider and decide the detailed representation to be submitted by the petitioners within a period of three weeks from today, which if submitted, shall be considered and decided by respondent No.2-The Chairman, Punjab State Power Corporation Limited, within a period of two months from the date of submission of such representation. The decision

so taken be conveyed to the petitioners forthwith.

In case the claim of the petitioners is accepted, the consequential benefits, if any, be released to them, in accordance with law, within a period of six weeks thereafter.

April 01, 2015
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE