

CWP No.19822 of 2015

[1]

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

**CWP No.19822 of 2015
Date of decision:05.09.2017**

Sonia

...Petitioner

Versus

State of Haryana and others

...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Ramender Chauhan, Advocate,
for the petitioner.

Mr. Saurav Mohunta, DAG, Haryana.

Mr. Prateek Rathi, Advocate,
for respondent nos.3 to 5.

Rakesh Kumar Jain, J.

The petitioner has prayed for the issuance of a direction to the respondents to compensate her for the injury suffered by her on account of electrocution.

In short, it is averred in the petition that the petitioner, at the age of 11 years, suffered injuries due to electrocution for which she lodged DDR No.17 dated 01.01.2012 at Police Station Tosham, District Bhiwani. She has taken treatment from the different hospitals much-less the Department of Burns and Plastic Surgery, PGIMS, Rohtak and has been issued a Disability Certificate for having disability to the extent of 62.5%.

The petitioner had earlier filed a civil suit for compensation. However, the said suit has been withdrawn by her in order to file the writ petition.

Counsel for the petitioner has referred to a decision of the Supreme Court in the case of **Raman vs. Uttar Haryana Bijli Vitran Nigam Ltd. and others**, 2015(1) PLJ 91.

Respondents no.3 to 5 have filed their reply, in which it is averred that on 31.12.2011, an electric wire of 11 KV of Jhanwari Feeder in village Kharkari Makhwan was broken. Upon receiving the information, the electric supply was immediately stopped but, in the meantime, the petitioner touched the said wire and was got electrocuted.

After hearing learned counsel for the parties and examining the available record, I am of the considered opinion that respondents no.3 to 5 have admitted in their reply that an electric wire of 11KV of Jhanwari Feeder in village Kharkari Makhwan was broken on 31.12.2011 and before the supply to this line could have been stopped, the petitioner had already came into contact with the said broken wire and suffered electrocution on 31.12.2011. DDR No.17 dated 01.01.2012 was lodged regarding the said occurrence at Police Station Tosham. There is also no doubt that the petitioner has suffered disability to the extent of 62.5% as per Disability Certificate (Annexure P-1), issued by the Department of Burns and Plastic Surgery, PGIMS, Rohtak. Now the respondents have to compensate the petitioner for the alleged injuries, suffered by her, including compensation for her disability, pain and suffering, loss of opportunities in life, medical expenses, follow up treatment, prospects of marriage because she is a girl and her rehabilitation.

Thus, the present petition is hereby converted into a representation and respondent no.3 is directed to look into the representation of the petitioner, afford her an opportunity of hearing, allow her to lead evidence

whatever she want to lead in regard to expenses incurred by her on her medical treatment and then to decide her claim for compensation on all the aforesaid heads, in accordance with law. Respondent no.3 shall issue notice to the petitioner within a period of one month from the date of receipt of certified copy of this order and decide her case within a period of three months thereafter.

September 05, 2017
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(Rakesh Kumar Jain)
Judge

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No