

CWP-15829-2021 (O&M)

Date of decision : August 18, 2021

RAM AVTAR & ANR

.....Petitioners

Versus

UTTAR HARYANA BIJLI VITRAN NIGAM LTD. & ORS

.....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Sunil Kumar Tandon, Advocate for the petitioners.

Mr. Ashish Yadav, Advocate for the respondents.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Petitioners seek compensation on account of unnatural death of Saloni i.e. daughter of the petitioners allegedly caused due to electrocution with 11 KV overhead lines. It is claimed that death of Saloni occurred due to sheer negligence on the part of respondents-authorities, in not maintaining the 11 KV high transmission overhead wire in a proper manner. FIR No. 282 dated 30.05.2020 (Annexure P3) in respect to the death of Saloni, is stated to be registered.

Learned counsel for the petitioners submits that despite submitting representation dated 12.07.2021 (Annexure P-6), respondent-authorities are not taking any action on the petitioners' claim. Learned counsel for the petitioners has placed reliance upon a judgment of a coordinate Bench in CWP-14046-2012, titled *Raman Versus State of Haryana and others*, decided on 02.07.2013, which has been upheld by the Hon'ble Supreme Court.

At this stage, learned counsel for the petitioners restricts the prayer for a decision on representation dated 12.07.2021 (Annexure P-6), in a time bound manner.

Notice of motion.

At the asking of the Court, Mr. Ashish Yadav, Advocate accepts notice on behalf of all the respondents. Advance copy of the writ petition stands served. Learned counsel for the respondents does not raise any serious objection to the limited prayer addressed.

Keeping in view the facts and circumstances of this case, but without any expression of opinion on the merits of the matter, this petition is disposed of with a direction to the competent authority to consider and decide representation dated 12.07.2021 (Annexure P-6), within a period of two months from receipt of certified copy of this order, while taking into account decision in the case of Raman Vs. State of Haryana (supra). In case, petitioners are found entitled to compensation, same be released within six weeks thereafter. In eventuality of a decision adverse to the petitioners, it be by way of a speaking order.

Writ petition is disposed of accordingly.

August 18, 2021
rts

(Lisa Gill)
Judge

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