

121 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-20493-2021

Date of decision : October 07, 2021

Satish and another

.....Petitioners

Versus

Uttari Haryana Bijli Vitran Nigam and another

.....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Rajesh Goyal, 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 Sachin i.e. son of the petitioners, allegedly caused due to electrocution with 1100 KV overhead lines. It is claimed that death of Sachin occurred due to sheer negligence on the part of respondents-authorities, in not maintaining 1100 KV high transmission overhead wires in a proper manner. G.D. No. 14 dated 30.11.2019 (Annexure P1) in respect to the death of Sachin, is stated to be registered.

Learned counsel for the petitioners submits that despite submitting legal notice dated 27.01.2021 (Annexure P-6), respondent-authorities are not taking any action on the petitioners' claim. Learned counsel for the petitioners places 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 legal notice dated 27.01.2021 (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 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 legal notice dated 27.01.2021 (Annexure P-6), within a period of three months from receipt of certified copy of this order and after affording an opportunity of hearing to the petitioners. 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.

October 07, 2021
rts

(Lisa Gill)
Judge

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