

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

245

CWP-177-2022

Date of decision: 10.10.2022

DEEPAK SHARMA AND ANOTHER

.....Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Vipin Yadav, Advocate for
for the petitioners.

Mr. Pankaj Mulwani, DAG, Haryana
for respondent No.1.

Mr. Dhruv Walia, Advocate
for the respondents No.2 to 5.

VINOD S. BHARDWAJ, J. (Oral)

The petitioners have approached this Court for seeking issuance of directions to the respondents to pay compensation on account of death caused due to electrocution of Arav Sharma son of the petitioners.

Learned counsel appearing on behalf of the petitioners contends that on 30.01.2020, Arav Sharma aged 05 years, the son of the petitioners was playing on the terrace and all of a sudden, the heavy electricity line of 11000 KV passing abutting the roof of the petitioner struck the child leading to an immediate death. The matter was reported to the District Administration immediately and a postmortem

was conducted on 31.01.2020. A FIR No. 0017 dated 01.02.2020 was also registered qua the incident for commission of offence under Section 304/34 of the Indian Penal Code. He points out that a representation had been submitted by the petitioners on 06.02.2020 to the Executive Engineer-City, OP-Division, DHBVN, Mehrauli Road, Gurugram for grant of compensation which is appended as Annexure P-3.

Learned counsel appearing on behalf of respondents No.2 to 5-DHBVN, however, contends that the incident is dated 30.01.2020 and that the policy dated 15.07.2019 notified by the DHBVNL relating to compensation to the victims for electrocution was then in force. He submits that the present writ petition shall be treated as a representation on behalf of the petitioner and an appropriate decision in terms of the applicable policy as in force shall be taken by competent authority within a period of 03 months of receipt of certified copy of this order.

In view of the aforesaid statement made by learned counsel appearing on behalf of the respondent-distribution licensee, learned counsel appearing on behalf of the petitioners does not press the instant petition at this stage.

Accordingly, the present petition is disposed of directing the respondents No.2 to 5 to treat the present writ petition as a representation on behalf of the petitioners and to pass a reasoned and speaking order within a period of 03 months of receipt of certified copy of this order after granting an opportunity of hearing to the respective parties.

Accordingly, the present petition is disposed of.

(VINOD S. BHARDWAJ)
JUDGE

OCTOBER 10, 2022

Vishal sharma

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