

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

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CWP-17602-2022

Date of decision: 30.11.2022

BASANT PAL AND ANOTHER

.....Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present:- Mr. Lupil Gupta, Advocate
for the petitioners.

Mr. Saurav Verma, Addl. A.G. Punjab.

Mr. Shrey Goel, Advocate
for respondent No.2-PSPCL.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Articles 226/227 of the Constitution of India, 1950 for issuance of a writ in the nature of Mandamus directing the respondents No.1 and 2 to grant compensation of Rs. 1,30,00,000/- on account of loss suffered by the petitioners in a fire incident in their cloth shop which took place on the night of 25.03.2022-26.03.2022 due to short circuit of electricity meter and because of sparking in electricity wires.

Learned counsel appearing on behalf of the petitioner has placed reliance on the document Annexure P-4 which is a report of the field staff of the Tehsildar wherein it has been averred that the fire had occurred on account of short circuit in the meter and internal wiring of the shop of the petitioner.

Further, Sh. Shrey Goel, Advocate appearing on behalf of respondent No.2-PSPCL has handed over a report submitted by the Sub Divisional Officer (Operations), Sub Division Tarn Taran as per which the incident of fire was not attributable to any negligence/deficiency on the part of the respondent-PSPCL.

There is no report by the Chief Electrical Inspector on the basis whereof it can be prima facie assumed that the incident of fire had occurred as a result of any laxity, negligence, carelessness on the part of the respondent-PSPCL. It would be a disputed question of fact which cannot be gone into by this Court at this stage. The present petition is accordingly disposed of as withdrawn with liberty to take recourse to the appropriate remedy available to him in accordance with law.

Disposed of as withdrawn.

(VINOD S. BHARDWAJ)
JUDGE

NOVEMBER 30, 2022

Vishal sharma

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