

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

132

**CWP-26074-2022**

**Date of decision: 16.11.2022**

PALA RAM AND ANTOHER

.....Petitioners

VERSUS

STATE OF HARYANA AND ORS

.....Respondents

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

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Present:- Mr. V.K. Gupta, Advocate  
for the petitioners.

Mr. Sharan Sethi, Addl. A.G. Haryana  
for respondents No.1 and 7.

Mr. Vivek Chauhan, Advocate.  
for respondents No.4 to 6.

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**VINOD S. BHARDWAJ, J. (Oral)**

The present writ petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of writ in the nature of mandamus for directing the respondents to compensate the petitioners on account of death of their son due to electrocution from broken electric wire.

2. Learned counsel appearing on behalf of the petitioners contends that on 22.07.2022, the son of the petitioners went to the Government Hospital to meet their friend Randhir Singh alongwith his friends. The deceased son of the petitioners went to the bathroom for nature call near the main gate of Hospital where the High voltage broken wire 11 KV feeder's broken conductor which was emanating from 33 KV S/Stn UHBVNL, Padla was hanging, due to which the son

of the petitioners namely Sudan was electrocuted from the said High tension broken wire. Thereafter, deceased Sudan was took to Civil Hospital, Kaithal, where the doctor declared him brought dead. A DDR No. 008 dated 23.07.2022 was registered and postmortem was also conducted, the doctor gave his opinion that the cause of death is electric shock.

3. Learned counsel appearing on behalf of the petitioners contends that the incident in question had taken place on 22.07.2022 and notice was also served to the officials of Haryana Vidut Prasaran Nigam Ltd. (HVPNL). The have responded to the aforesaid notice vide memo dated 09.09.2022 (Annexure P-7) as per which since the unfortunate incident had occurred due to a broken conduct of Uttar Haryana Bijli Vitran Nigam Ltd. and the same is not within jurisdiction or under the operational management of Haryana Vidut Prasaran Nigam Ltd. (HVPNL), and is controlled, management operated by Uttar Haryana Bijli Vitran Nigam Limited. Resultantly notice is not required to be served upon respondents No. 2 and 3.

4. Notice of motion.

5. Mr. Sharan Sethi, Addl. A.G. Haryana appears and accepts notice on behalf of respondents No.1 and 7.

6. Mr. Vivek Chauhan, who is the Additional Advocate General Haryana and would thus be on the panel of all statutory Board and Corporations of the State of Haryana has been requested to accept notice on behalf of the respondents No.4 to 6. He accepts notice on the asking of the Court on behalf of respondents No.4 to 6.

7. Learned counsel appearing on behalf of the respondents

No.4 to 6, however, contends that incident in question had taken place on 22.07.2022 and that the policy dated 08.07.2019 notified by the UHBVNL relating to compensation to the victims for fatal/non-fatal accidents was then in force and that in the event of the petitioners submitting their claim before the competent authority as per the policy, the same shall be considered and an expeditious decision in terms of the above policy shall be taken thereupon.

8. The aforesaid contention/offer is accepted by the counsel for the petitioner without prejudice to his rights.

9. The present petition is thus disposed of with the consent of the respective parties and without prejudice to their respective rights and without commenting on the merits of their respective claims granting liberty to the petitioners to approach the respondent authorities for seeking disbursement of compensation in terms of applicable policy.

10. Needless to mention that in the event of filing of such claim/representation by the petitioners before the competent authority as per the policy, the same shall be decided expeditiously by the competent authority preferably within a period of 04 months from the date of filing of the such claim/representation, after granting an opportunity of hearing to the respective parties.

Accordingly, the present petition is accordingly disposed of.

(VINOD S. BHARDWAJ)  
JUDGE

NOVEMBER 16, 2022

*Vishal sharma*

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