

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

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**CWP-9501-2021 (O&M).
Date of Decision: 25.07.2023.**

Shabnam and others**...Petitioners****Versus****The State of Haryana and others****...Respondents****CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ**

Present: Mr. S.K.Saini, Advocate for the petitioners.

Mr. Vivek Chauhan, Addl. A.G. Haryana,
for respondent No.1/State.

Mr. R.S. Longia, Advocate, for respondents No.2 and 3.

VINOD S. BHARDWAJ. J (ORAL)

The present writ petition has been filed under Articles 226/227 of the Constitution of India, 1950 seeking issuance of a writ in the nature of mandamus directing the respondents to pay compensation to the petitioners on account of death of Mohmad Shahjan husband of petitioner No.1 due to electrocution attributable to negligence on the part of the respondents.

Learned counsel appearing on behalf of the petitioners contends that on 06.12.2019, husband of petitioner No.1 namely Mohmad Shahjan along with Mohit while lifting irons sheets on the roof of the house of Mohit came in contact with 11 KV naked electric line placed adjacent to the house of Mohit. He submits that Mohit died on the spot whereas Mohmad Shahjan was taken to Hospital where doctors

declared him dead. He submits that in this regard DDR No. 11 dated 06.12.2019 was recorded at Police Station Kila Panipat and a copy of the death certificate has been appended with the present petition as Annexure P-1 whereas copy of Post Mortem Examination Report has been appended with the present petition as Annexure P-6. Hence, compensation has been prayed for on account of death caused due to electrocution on account of negligence on the part of respondents.

Notice of motion in the present case had been issued on 06.05.2021 and the reply on behalf of the respondents No.2 and 3/UHBVNL has been filed on 14.02.2023 praying for dismissal of the present petition.

Learned counsel appearing on behalf of petitioners contends that the incident is dated 06.12.2019 and that the policy dated 08.07.2019 notified by the respondents UHBVNL relating to compensation to the victims for fatal/non-fatal accidents was then in force and that at this juncture, he would be satisfied in case a direction is issued to the respondent-authorities that in the event of the petitioners submitting his 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.

Learned counsel appearing on behalf of the respondents have no objection to the aforesaid prayer being allowed.

In view of above prayer, the present petition is disposed of without prejudice to the respective rights of the parties 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.

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 such claim/representation, after granting an opportunity of hearing to the respective parties.

Accordingly, the present petition is disposed of.

July 25, 2023
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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