

IN THE PUNJAB AND HARYANA HIGH COURT AT  
CHANDIGARH

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CWP-14415-2023 (O&M)  
Date of Decision: 07.10.2023

**BHARAT AHIRWAR**

... Petitioner

VERSUS

**DAKSHIN HARYANA BIJLI VITRAN NIGAM LTD. & ORS**

... Respondents

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

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Present: Mr. Sunil K. Tandon, Advocate  
for the petitioner.

Mr. R.D. Bawa, Advocate,  
Mr. Samuel Gill and Mr. Dipanshu Kapur,  
Advocates for the respondents.

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

The present petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of Certiorari for quashing the speaking order No.87 dated 07.06.2023 (Annexure P-6) and further for Mandamus directing the respondents to pay compensation of Rs.50,00,000/- on account of death of Sandhya, wife of petitioner, who died due to electrocution.

Succinctly, the facts of the present case are that the wife of the petitioner was working as a labourer. On 21.07.2021, the petitioner and his wife alongwith one another lady were doing the work of plastering in the house of one Ashok Kumar son of Bhavanar Singh. A high tension wire of 11 KV was crossing over there at a very short distance. While the wife of petitioner was going to the roof, she came in contact with the said high tension wire and got electrocuted. She succumbed to the injuries sustained due to the said electric

shock. Postmortem on the dead body of deceased Sandhya was also conducted wherein the cause of death has been specifically mentioned as 'electrocution.' The matter was reported to the police and an FIR No.266 dated 22.07.2021 was registered at Police Station Bilaspur District Gurugram. The petitioner did not get any compensation from the respondents, whereupon he approached this Court by filing CWP-8336-2022, which was disposed of by this Court vide order dated 15.09.2022 while directing the respondents to consider and decide the claim of the petitioner within a period of four months. The petitioner thereafter submitted a representation before the respondent-Authorities and sought redressal of his grievance. However, no action was taken by the respondents. Pursuant thereto, the petitioner moved a contempt petition bearing No.COCP-1365-2023, which was then pending for 11.09.2023 for compliance. After filing of the contempt petition, the respondents passed a speaking order dated 07.06.2023 whereby they declined the claim of the petitioner. Hence, this petition.

Mr. R.D. Bawa, Advocate has put in appearance on behalf of the respondents and prays for some time to file response in the matter.

This Court, however, has already decided a number of matters where the counsel representing the Distribution Licensee had apprised about a policy dated 15.07.2019 notified by the DHBVNL for grant of compensation to the victims of electrocution. The said policy contemplates disbursement of compensation on account of no fault as well. Hence, it would be appropriate at this juncture to dispose of the present petition sans waiting for the response of the respondents.

The present petition is accordingly disposed of without commenting on the merits of the present case and with a direction to the

competent Authority to consider and decide the claim of the petitioner as per the policy dated 15.07.2019 and also to treat the present writ petition as a representation and the same shall be decided expeditiously by the competent Authority preferably within a period of 04 months from the date of receipt of certified copy of this order, after granting an effective opportunity of hearing to the respective parties.

OCTOBER 07, 2023  
*rajender*

(VINOD S. BHARDWAJ)  
JUDGE

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