

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-22661-2023
Date of Decision: 09.10.2023

REKHA DEVI AND ANR.

... Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

... Respondents

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

Present: Mr. Abhishek Saini, Advocate and
Ms. Saroj Saini, Advocate for the petitioners.

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 Mandamus directing the respondents to pay compensation to the petitioners on account of death of husband of petitioner No.1, who died due to electrocution.

Succinctly, the facts of the present case are that the on 16.07.2023 at around 10.00 AM, the husband of petitioner No.1 namely Ram Kishor son of Jagan Nath was doing the work of construction at the house of one Rinku Agarwal son of Harish Agarwal resident of Ashok Nagar Gannur and Dheeraj Nagpal son of Manohar Nagpal resident of House No.208/9, Jain Nagar, Gannaur, Sonapat. While the petitioner's husband was doing shuttering in stairs to put lintel on the roof, an iron bar (saria) touched the naked electricity wire passing through the front side of the house. The husband of the petitioner got a severe electric shock and fell down. He died at the spot due to electrocution. He was rushed to the hospital, where he was declared brought dead. The matter was reported to the police whereupon a DDR No.17 dated 16.07.2023 was registered at Police Station City Panipat. The petitioners approached the respondent-Authorities for grant of compensation and even served a legal notice dated 23.08.2023 (Annexure P-5) upon the respondents, however, neither has any compensation been paid to the petitioners nor have the respondents taken any action upon the legal notice (Annexure P-5).

Notice of motion.

Mr. Pankaj Mulwani, DAG, Haryana accepts notice on behalf of respondent No.1 and Mr. Vivek Chauhan, Advocate accepts notice on behalf of the remaining respondents. They pray for some time to complete instructions and file response, if necessary.

This Court, however, has already decided a number of matters where the counsel representing the Distribution Licensee had apprised about a policy dated 08.07.2019 notified by the UHBVNL 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 response from 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 decide the said legal notice dated 23.08.2023 (Annexure P-5) in light of the policy dated 08.07.2019 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 09, 2023

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**(VINOD S. BHARDWAJ)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No