

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

120

**CWP-25866-2023
Date of decision: 17.11.2023**

KARAN

... Petitioner

VERSUS

UTTAR HARYANA BIJLI VITRAN NIGAM LTD. & ANR.

...Respondents

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

Present: Mr. Sunil Kumar Tandon, 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 of Rs.60,00,000/- to the petitioner on account of death of Ram Ashish son of the petitioner, who died due to electrocution.

As per the contentions raised in the petition, the deceased son of the petitioner was aged about 18 years and had been working as labourer with contractor Mr. Anil Kumar, Proprietor of M/s Jind Infotech, Jind. The said firm is usually allotted the work of maintenance of electric lines by respondent No.2. On 28.11.2020, the deceased son of the petitioner had gone to village Rohat to fix some issue on the transformer under the supervision of Rahul Nanha, Vijay, Samsher (lineman) of electricity department. Before starting the work, it was

assured that the electricity had been switched off from the main power house. However, when the deceased climbed up the pole, suddenly electric line became phase-to-phase and he got severely electrocuted and fell down on the ground. He was immediately rushed to the PGIMS, Rohtak, where the doctor declared him dead. Postmortem was also conducted on the dead body of the deceased, wherein the cause of death has been specifically mentioned as “electrocution.” Matter was also reported to the police, whereupon a DDR No.9 dated 27.11.2020 at Police Station Asauda Jhajjar was registered. The petitioners submitted two representations dated 16.12.2022 and 18.09.2023 (Annexures P-4 and P5 respectively) to respondent No.2 for seeking grant of compensation, but no action has been taken thereupon till date.

Notice of motion.

Mr. Vivek Saini, Addl. A.G., Haryana, who by virtue of his assignment is also on the panel of all the statutory corporations and bodies of the Government of Haryana, is directed to accept notice on behalf of the respondents. Hence, he accepts notice on behalf of the respondents and also prays for some time to complete instructions and file response.

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 compensation to the victims of electrocution. The said policy also contemplates disbursement of compensation on account of no fault. Hence, it would be appropriate at this juncture to dispose of the present petition sans waiting for responses 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 representation dated 18.09.2023 (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 filing of the such claim/representation, after granting an effective opportunity of hearing to the respective parties.

(VINOD S. BHARDWAJ)
JUDGE

17.11.2023
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No