

15th May,
2024
(AK)
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W.P.A 25558 of 2023

Niranjan Das
Vs.
The West Bengal State Electricity Distribution Company
Limited and others

Mr. Ziaul Haque
...for the petitioner.

Dr. Madhusudan Saha Ray
...for the WBSEDCL.

1. Learned counsel for the petitioner submits that the petitioner’s wife died of electrocution allegedly due to negligence of the Distribution Licensee, since the said deceased met with her demise due to a live wire hanging precariously.
2. It is contended that the post-mortem report, which is also annexed to the writ petition, indicates the cause of death to be electrocution.
3. However, the petitioner wrote a representation to the authorities, which was never considered by them.
4. Learned counsel appearing for the WBSEDCL controverts the allegation on merit.
5. However, in his usual fairness, learned counsel submits that the WBSEDCL shall proceed in accordance with law in that regard.

6. In fact, learned counsel for the petitioner submits, also fairly, that during pendency of the writ petition, the respondents have called the petitioner for hearing.
7. In the light of the above, WPA 25558 of 2023 is disposed of by directing the respondents to ensure that, acting on the petitioner's application for compensation on the demise of his wife, on the premise of the post-mortem report annexed at page-14 of the writ petition as well as by considering all other ingredients and materials and undertaking any enquiry as required, to ensure that a decision is arrived at regarding the payability of compensation to the petitioner.
8. For such purpose, the respondents shall adhere to the provisions of law and proceed in accordance with law upon giving adequate opportunity of hearing to the petitioner and holding due enquiries as envisaged in the extant law and Regulations.
9. It is expected that the entire process shall be concluded within three months from date and a reasoned decision taken thereon and communicated to the petitioner immediately thereafter.
10. There will be no order as to costs.

11. Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)