

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

120

CWP-843-2024 (O&M)
Date of decision: 15.01.2024

Taravati ...Petitioner

Versus

Dakshin Haryana Bijli Vitran Nigam Limited and another ...Respondents

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

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

Mr. Vivek Saini, Advocate for the respondents.

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 tune of Rs.50 lakhs on account of death of Harivansh- the husband of the petitioner, who died due to electrocution.

As per the contentions raised in the petition, the husband of he petitioner used to do the work of house construction as well as working as a contractor and was earning more than Rs. 25,000/- per month. The petitioner has six children. On 22.05.2020, when the husband of the petitioner was working, suddenly he was attracted by the 11 KV high electric wires which were at a very low height in a hanging position. The wires were also passing very close to the wall of the house due to which the

husband of the petitioner got electrocuted and his feet and body was burned. When the husband of the petitioner was taken to the hospital, he was declared dead. The incident in question had taken place due to the sole negligence of the electricity Board. The matter was reported to the police and an FIR No.253 dated 23.05.2020 (Annexure P-3) was registered at Police Station Camp Palwal. The petitioner has moved representations dated 16.12.2022 and 16.09.2023 (Annexures P-4 and P-5) before the concerned Authorities for seeking 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 15.07.2019 notified by the DHBVNL 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 16.09.2023

(Annexure P-5) 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 filing of the such claim/representation, after granting an effective opportunity of hearing to the respective parties.

15.01.2024
Mangal Singh

(VINOD S. BHARDWAJ)
JUDGE

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