

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

123

**CWP-6216-2024 (O&M)
Date of decision: 15.03.2024**

Alok Kumar and others

...Petitioners

VERSUS

State of Haryana and others

...Respondents

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

Present :- Mr. B.S. Mittal, Advocate for the petitioners.

Mr. Pankaj Mulwani, DAG Haryana
for respondent No.1.

Mr. Vivek Saini, Advocate for respondents No.2 to 4.

VINOD S. BHARDWAJ, J. (Oral)

1. Challenge in the present petition is to the office order No.89 dated 21.11.2023 (Annexure P-11) whereby the claim of the petitioners for grant of compensation has been wrongly rejected on the ground that deceased-Ranjit Kumar got electrocuted due to his own negligence while doing the work of construction and extension of the house of Sushil Kumar.
2. Learned counsel for the petitioners contends that the Policy dated 15.07.2019 (Annexure P-4) notified by the respondent-State contemplate compensation on a no fault under Clause 11 thereof. It is submitted that a similar case came up before this Court in **CWP-26327-2023**

titled as ‘**Shajadi Vs. Dakshin Haryana Bijli Vitran Nigam Limited and another**’ and vide order dated 21.02.2024, the order passed by the authority therein was set aside and the matter was remanded to the respondents-authorities to pass a fresh order after taking into consideration the relevant provisions of the notification as well as the letter and spirit of Victim Compensation Policy notified by the respondent-authorities.

3. Learned counsel for the respondent-Distribution Licensee contends that the negligence is not on the part of Distribution Licensee and that a specific finding in this regard has been recorded by the Chief Engineer/Operation, Dakshin Haryana Bijli Vitran Nigam, New Delhi, while declining the claim of the petitioners vide order dated 21.11.2023 (Annexure P-11). He, however, is not in a position to dispute the fact that the relevant Clause of the Policy has not been dealt with by the respondent-Official while declining the claim of the petitioners. He fairly concedes that the order dated 21.02.2024 passed by this Court in the case of **Shajadi (Supra)**, would be applicable to the present case.

4. The present petition is **allowed** in terms of the order dated 21.02.2024 passed by this Court in the matter of **Shajadi (Supra)**.

15.03.2024
Mangal Singh

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned :
Whether reportable :

Yes/No
Yes/No