

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-9262-2024
Date of Decision: 25.04.2024

DARSHAN SINGH

... Petitioner

VERSUS

DAKSHIN HARYANA BIJLI VITRAN NIGAM LIMITED
AND ANOTHER

... Respondents

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

Present: Mr. Sunil Kumar Tandon, Advocate
for the petitioner.

Mr. Vivek Saini, Advocate for
respondents No.1 and 2.

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.50,00,000/- alongwith interest @ 12% to the petitioner on account of death of his son namely Raju, who died due to electrocution.

Succinctly, the facts of the present case are that on 08.10.2023, the 25 years old son of petitioner was working as a driver and was earning an amount of Rs.20,000/- approximately, per month. On the fateful day, he had gone on his tractor and tanker to fill water in to the tanker, where the electric wires of 11 KV were passing above the water head and were hanging at a very

low height. He had parked his tractor-tanker on the canal side to fill the same with water, however, all of a sudden, he came in contact with the high tension electric wire and got electrocuted and fell down unconscious. He was taken to Civil Hospital, Tohana where he was declared dead by the doctor. Postmortem examination was conducted on the dead body of the deceased and in the postmortem report, the cause of death has been mentioned as "electrocution." A DDR No.30 dated 08.10.2023 was also registered at Police Station Jakhal. The petitioner approached the respondents several times for seeking compensation, however, the respondents did not pay any heed towards the request/representation of the petitioner.

Notice of motion.

Mr. Vivek Saini, Advocate accepts notice on behalf of respondents No.1 and 2, and prays 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 15.07.2019 notified by the DHBVNL for grant of compensation to the victims of electrocution. The said policy contemplates disbursement of compensation even on account of 'no fault' also. 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 representation dated 13.02.2024 (Annexure P-4) as per the policy dated 15.07.2019 expeditiously and preferably within a

period of 03 months from the date of receipt of certified copy of this order,
after granting an opportunity of hearing to the respective parties.

Disposed of accordingly.

APRIL 25, 2024
rajender

(VINOD S. BHARDWAJ)
JUDGE

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