

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-18093-2022 (O&M)
Date of decision: 16.01.2024

Mohit Verma and others

...Petitioners

VERSUS

State of Haryana and others

...Respondents

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

Present :- Mr. Vansh Chawla, Advocate for the petitioners.

Mr. Vivek Chauhan, Addl. A.G. Haryana.

Mr. R.D. Bawa, Advocate and
Mr. Samuel Gill, Advocate and
Mr. Randhir Bawa, Advocate,
for respondents No.2 to 6-UHBVNL.

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 the interim compensation/Financial Assistance in accordance with Clause 14(3) of the Compensation Policies dated 18.05.2017 and 08.07.2019 (Annexures P-7 and P-8).

As per the contentions raised in the petition, the petitioners are aggrieved against the order dated 24.04.2020 (Annexure P-1) passed by the respondents whereby the case of the petitioner has been closed and compensation on account of death of Ms. Ruby (wife of petitioner No.1 and

mother of petitioners No.2 and 3) due to electrocution as been denied. On 01.09.2019 at about 11.30 A.M., Ms. Ruby came in touch with high tension pole wires maintained and serviced by respondents while she was on her rooftop at House No.8//3/1/4, Kardhan Road, Near Ex-Sarpanch Office, B.D. Flour Mill, Ambala Cantt. carrying a flex board which slipped from her hands and touched the naked aluminum pole wires (11 KV-11000 Volte) and suffered electrocution injuries and unfortunately succumbed to the said injuries on 11.09.2019. The incident in question had taken place due to the sole negligence of the electricity Board. The matter was reported to the police and a DDR No.20 dated 02.09.2019 (Annexure P-6) was registered at Police Post Kardhan, Police Station Mahesh Nagar, Ambala. The petitioners served a legal notice dated 25.11.2019 (Annexure P-9), the respondents replied to the legal notice vide their reply dated 11.12.2019 (Annexure P-10) whereby the claim of the petitioners were denied.

Learned counsel for the petitioners submits that the case of the petitioners is fully covered with the Compensation Policies dated 18.05.2017 and 08.07.2019 (Annexures P-7 and P-8).

This Court, however, has already decided a number of matters where the counsel representing the Distribution Licensee had apprised about the Policies dated 18.05.2017 and 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 consider the case of the petitioners as per the policies dated 18.05.2017 and 08.07.2019 (Annexures P-7 and P-8) 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.

16.01.2024
Mangal Singh

(VINOD S. BHARDWAJ)
JUDGE

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