



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

124

CWP-25461-2024
Date of decision: 03.10.2024

MAFIYA AND OTHERS

... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

...Respondents

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

Present: Mr. Rahul Singla, Advocate
for the petitioners.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed under Articles 226/227 of the Constitution of India, 1950 for issuance of a writ in the nature of Mandamus directing the respondents to pay compensation on account of death of Ashiq Ali-husband of petitioner No.1, father of petitioners No.2 and 3 and son of petitioner No.4 who died due to electrocution.

As per the contentions raised in the petition, the deceased Ashiq Ali (husband of petitioner No.1) was electrocuted on 13.01.2023 with the live wire lying open on the road side at Village Bibipur near Buria District Yamuna Nagar. In that regard, a report was also submitted to the Police Station Radaur dated 14.01.2023. He further contends that due to negligence of the respondent Department, deceased Ashiq Ali lost his life and he was the sole bread earner of the family.

Notice of motion.

Mr. Pankaj Mulwani, DAG, Haryana appears and accepts notice on behalf of respondent No.1.

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Mr. Vivek Saini, Advocate accepts notice on behalf of the respondents No. 2 to 9 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 the policies notified by the UHBVNL for compensation to the victims of electrocution. The said policies 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 representation dated 04.01.2024 (Annexure P-4) as per the policies existing at that point of time 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 receiving of order, after granting an effective opportunity of hearing to the respective parties.

(VINOD S. BHARDWAJ)
JUDGE

OCTOBER 03, 2024
Vishal sharma

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