



**IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH**

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CWP-29675-2024
Date of Decision: 04.11.2024

DEVENDER KUMAR AND OTHERS

... Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

... Respondents

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

Present: Ms. Jyoti Chahal, Advocate
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana.

Mr. Vivek Saini, Advocate
for respondents No.2 to 6.

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 Certiorari quashing the action of the respondent regarding non-payment of compensation to the petitioner on account of death of his father Babu Lal, who died due to electrocution.

Succinctly, the facts of the present case are that on 19.10.2019 at around 03.00 p.m., deceased Babu Lal had gone to his fields for agricultural purpose and to change the sprinklers. Unfortunately, the pipe of the sprinklers was in contact with the high tension uninsulated electric line, due to which, Babu Lal got electrocuted. He was got taken to hospital by his son where the doctor declared the father of the petitioner as brought dead. Postmortem

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examination was also conducted on the body of the deceased, wherein the cause of death has been specifically mentioned as “electrocution”. The matter was reported to the police and a General Diary No.014 dated 19.10.2019 had been registered at Police Station Khol. Thereafter, the petitioner sent a demand notice dated 29.05.2024 to the respondent-Department for grant of compensation on account of death of his father Babu Lal. In response to the same, only respondent No.5 replied to the notice while completely denying any kind of negligence. Hence, the present petition.

Notice of motion.

Mr. Pankaj Mulwani, DAG, Haryana accepts notice on behalf of respondent No.1-State; whereas Mr. Vivek Saini, Advocate accepts notice on behalf of respondents No.2 to 6; and they pray 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 treat the instant petition as representation and to take appropriate decision as per the abovementioned policy dated 15.07.2019



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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.

NOVEMBER 04, 2024.
rajender

(VINOD S. BHARDWAJ)
JUDGE

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