

2024.PHHC.147369



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

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**CWP-30456-2024
Date of decision: 12.11.2024**

JAGGO AND OTHERS

... Petitioners

VERSUS

UTTRI HARYANA BIJLI VITRAN NIGAM LTD. & ANR.

...Respondents

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

Present: Mr. Rajesh Goyal, Advocate
for the petitioners.

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 of Rs.50,00,000/- to the petitioners on account of death of Bahadur son of Bangali (husband of petitioner No.1 and father of remaining petitioners), who died due to electrocution.

As per the contentions raised in the petition, on 03.05.2023 at around 09.00 a.m., deceased Bahadur alongwith one boy namely Raj aged 14 years had gone to collect kabaar/scrap. They reached Company, Village Kabri, District Panipat, where in a vacant plot, electric wire was installed at a distance of two feet from the earth and construction work was going on. They went there and suffered electric shock, as a result whereof, Bahadur fell down in the drain and the boy Raj

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became unconscious and his leg was also burnt. At about 11.00 a.m. he came home and told the entire episode to the petitioners and his family members. Thereafter, the petitioners rushed to the place of incident, where they found the dead body of Bahadur floating in the drain. They took him to PGI Khanpur Kalan, Sonipat, where the doctor also declared him as dead. Postmortem on the dead body of the deceased was conducted by the doctor/M.O. of PGI Khanpur Kalan, Sonipat. The matter was reported to the police, whereupon an FIR No.0260 dated 05.05.2023 under Section 304-A of IPC at P.S. Old Industrial Area, Panipat was registered. In the postmortem report, the cause of death has been mentioned as 'electrocution'. The petitioners approached the respondents and moved a representation dated 12.01.2024 (Annexure P-6) for grant of compensation, but the respondents did not take any action thereupon.

Notice of motion.

Mr. Vivek Saini, Advocate accepts notice on behalf of the respondents and 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 a policy dated 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 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 of the respondents to decide the said representation dated 12.01.2024 (Annexure

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P-6) in light of the policy dated 08.07.2019 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 03 months of the receipt of certified copy of this order, after granting an opportunity of hearing to the respective parties.

Disposed of accordingly.

(VINOD S. BHARDWAJ)
JUDGE

12.11.2024
rajender

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No