

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

119

CWP-31773-2024
Date of decision: 26.11.2024

AADESH

... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS.

...Respondents

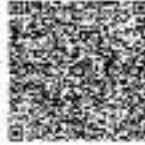
CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: Mr. Bhim Singh, Advocate for
 Mr. Raj Kumar Chandana, Advocate
 for the petitioner.

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.40,00,000/- to the petitioner on account of death of Vishal- son of the petitioner, who died on 03.03.2024 due to electrocution.

Briefly summarized, the facts of the present case are that on 03.03.2024, deceased Vishal, son of the petitioner, had gone outside the house for throwing garbage. It was a rainy day. The electric wire was hanging down enough that when the deceased was going across the street, it touched his head. Resultantly, deceased Vishal got electrocuted and fell down at the spot. He was taken to Civil Hospital, wherefrom he was referred to Babu Jiwan Ram Memorial Hospital, Jahangirpuri, Delhi. The petitioner took his son to the said hospital,

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where he was declared as “brought dead” vide MLC No.1248/24 dated 03.03.2024. Postmortem was also conducted on the body of the deceased on 04.03.2024 and the PMR No.267/2024 was prepared by the doctors, wherein the cause of death has been mentioned as “electrocution”. The matter was reported to the police, whereupon a General Diary No.12 dated 03.03.2024 was registered.

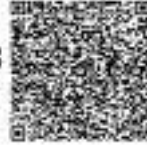
It is further submitted that the son of the petitioner was doing a private job and was earning a sum of Rs.32,000/- per month. The petitioner, accordingly, approached the respondent-UHBVNL and submitted a representation dated 18.04.2024 (Annexure P-6) for seeking compensation to the tune of Rs.40,00,000/-, but the respondents did not pay any heed. Hence, this petition.

Notice of motion.

Mr. Pankaj Mulwani, DAG, Haryana accepts notice on behalf of respondent No.1 and prays for some time to seek instructions.

Mr. Vivek Saini, Advocate accepts notice on behalf of respondents No.2 to 5 and prays for some time to complete instructions and file response, if so advised.

This Court, however, has already decided a number of matters where the counsel representing the Distribution Licensee have apprised about a policy dated 08.07.2019 notified by the UHBVNL for compensation to the victims of electrocution. The said policy contemplates disbursement of compensation 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.

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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 respondent-UHBVNL to decide the said representation dated 18.04.2024 (Annexure 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

26.11.2024
rajender

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No