



RSA-318-1999 (O&M)

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

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RSA-318-1999 (O&M)

Date of decision :03.09.2025

THE PUNJAB STATE ELECTRICITY BOARD AND OTHERS**... APPELLANTS****VERSUS****RAJ SINGH AND ANOTHER****...RESPONDENTS****CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL**

Present: Mr. P.S. Thiara, Advocate and
Mr. A.P.S. Virk, Advocate
for the appellant.

Mr. Vishal Munjal, Advocate and
Ms. Bindu Bala, Advocate
for respondent No. 1.

PARMOD GOYAL, J. (ORAL)

The present appeal has been filed by defendants-appellants, being aggrieved by the judgment and decree dated 17.09.1998 passed by the Court of Additional District Judge, Gurdaspur, whereby the appeal preferred by plaintiffs-respondents against judgment and decree dated 23.07.1997 passed by the Civil Judge (Junior Division), Pathankot dismissing suit for recovery of Rs. 2,00,000/- as damages preferred by plaintiff-respondents, was allowed.

2. Learned counsel for the appellant, after arguing for some time, on merits of the case restricted his arguments as regards to quantum of compensation awarded to the respondents-plaintiffs.



3. A perusal of the judgment of the Appellate Court judgment reveals that Plaintiff-Raj Singh (husband of deceased) and Smt. Krishna Devi (mother of deceased) were awarded compensation to the extent of Rs.72,000/- and Rs. 24,000/- respectively.

4. On consideration, I find no error in the judgment and decree passed by learned First Appellate Court.

5. Admittedly, the deceased Bholi was a housewife and was looking after her family consisting of her husband and family members. Learned First Appellate Court has, therefore, rightly assessed her income at minimum of Rs.500/- per month as deceased had died in the year 1988.

6. The amount of Rs. 500/- is, in fact, less than the minimum wages payable to an unskilled worker at that time. The contribution of a housewife cannot be considered to be less than that of an unskilled worker; rather she contributes more than what an unskilled worker does in a day. The deceased was 30 years old at the time of her death. Therefore, taking her monthly income as Rs.500/-, the total compensation of Rs. 96,000/- was awarded by learned First Appellate Court on account of death of deceased Bholi due to electrocution, on account of failure of defendants.

7. No fault can be found with the quantum of compensation as awarded by the learned First Appellate Court. However, I find that the learned First Appellate Court has awarded future interest at the rate of 12%, which requires modification. Accordingly, interest on the awarded amount shall be payable at the rate of 6% per annum from the date of institution of the suit till the date of realization.

8. One more modification is required in the present case. The quantum



of compensation has been apportioned between the mother and the husband of the deceased in the ratio of 75% and 25%. However, it is admitted that the husband of the deceased remarried within one year of her death. In view thereof, it would be appropriate that the compensation be shared equally by husband and mother.

9. With the above modifications, the present appeal stands disposed of.

10. Pending miscellaneous application(s), if any, shall also stand disposed of.

03.09.2025
manoj

(PARMOD GOYAL)
JUDGE

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