GAHC010127202026

2026:GAU-AS:15540

# THE GAUHATI HIGH COURT
## (HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

**Case No. : WP(C)/3356/2026**

SMT USHA RAY
WO LATE SUKRAMONI RAY,
R/O BAKHATAPARA PART II ,
WARD NO 23 , BONGAIGAON , PO, PS AND DIST.- BONGAIGAON, ASSAM,
PIN- 783380

VERSUS

THE STATE OF ASSAM AND OTHRS
REPRESENTED BY THE SECRETARY TO THE GOVT OF ASSAM , POWER DEPARTMENT, DISPUR, GUWAHATI , PIN-781006

2:THE ASSAM POWER DISTRIBUTION CO LTD
REPRESENTED BY ITS CHIEF MANAGING DIRECTOR BIJULI BHAWAN PALTAN BAZAR GUWAHATI ASSAM

3:THE CHIEF ELECTRICAL INSPECTOR CUM ADVISER GOVERNMENT OF ASSAM
INSPECTORATE OF ELECTRICITY 1ST FLOOR WEST END BLOCK HOUSEFED COMPLEX DISPUR GUWAHATI ASSAM PIN 781006

4:THE DEPUTY GENERAL MANAGER LAW APDCL
BIJULI BHAWAN PALTAN BAZAR GUWAHATI ASSAM PIN 781001

5:THE CHIEF EXECUTIVE OFFICER
BONGAIGAON ELECTRICAL CIRCLE APDCL LOWER ASSAM REGION LAR BONGAIGAON ASSAM PIN 783380

6:THE ENQUIRY OFFICER CUM AGM
IRCA DIVISION BONGAIGAON APDCL BONGAIGAON ASSAM PIN 783380

7:THE ENQUIRY OFFICER CUM AGM

T AND C DIVISION BONGAIGAON APDCL BONGAIGAON ASSAM PIN 783380

8:THE SUB DIVISIONAL ENGINEER
BONGAIGAON ELECTRICAL SUB DIVISION I APDCL BORPARA
BONGAIGAON ASSAM PIN 78338

**For the Petitioner (s) : Mr. B. J. Mukherjee, Advocate**

For the Respondent(s) : Mr. G. Bokalial, Govt. Advocate
Mr. B. Das, SC, APDCL

BEFORE
**HON'BLE MR. JUSTICE DEVASHIS BARUAH**
O R D E R

13.10.2026

Heard Mr. B. J. Mukherjee, the learned counsel appearing on behalf of the Petitioner. Mr. G. Bokalial, the learned counsel appears on behalf of the Respondent Nos.1 and 3 and Mr. M. Das, the learned counsel appears on behalf of the Respondent Nos.2, 4, 5, 6 and 7.

2. The present writ petition has been filed by the Petitioner claiming compensation in terms with Chapter III of the AERC (Compensation to Victims of Electrical Accidents) Regulations, 2019 (for short, 'the Regulations of 2019') wherein at Regulations 5 and 6, it is stipulated that the licensee/generating company/the CPP would be liable to compensate in terms with the quantum as

stipulated in Schedule-B to the said Regulations of 2019.

3. In the instant case, the husband of the Petitioner while returning from his paddy field on 21.09.2023 at about 11:15 a.m., got electrocuted by a high voltage electrical wire. He was rushed to the Bongaigaon Civil Hospital where he was declared dead by the doctor.

4. The Petitioner thereupon submitted representation on 22.06.2024. However, as no compensation was paid, the Petitioner was compelled to approach this Court by filing the present writ petition.

5. The learned Coordinate Bench of this Court vide the order dated 25.06.2026 issued notice. Subsequent thereto, the Respondent No.3 had filed an affidavit bringing on record the electrical accident enquiry report dated 11.08.2026.

6. From a perusal of the said enquiry report, it is seen that it was on account of the fault of the APDCL Authority that the 11 KV Betbari feeder was provided with Over Current and Earth Fault protection system at sending end sub-station, i.e. at 33 KV/11 KV Birjhora sub-station of APDCL. But, the electrical protection system for the aforesaid feeder did not disconnect the supply which resulted into the accident of the victim.

7. Taking into account the above, it is therefore the opinion of this Court that the Petitioner being the legal representative of the

deceased Late Sukramoni Ray would be entitled to compensation in terms with Regulations 5 and 6 read with Schedule-B, i.e. to the tune of Rs.4,00,000/- in terms with the Regulations of 2019.

8. It is also relevant to observe that in terms with Regulation 20, there is also a further requirement of payment of interest which the Petitioner would also be entitled above the amount of Rs.4,00,000/-.

9. Accordingly, the instant writ petition therefore stands disposed of with the following observations and directions:-

(i) The Petitioner herein would be entitled to an amount of Rs.4,00,000/- in terms with Regulation 5 read with Regulation 6 and Schedule-B to the Regulations of 2019. In addition to that, the Petitioner would also be entitled to interest in terms with Regulation 20 of the Regulations of 2019.

(ii) The Respondent No.2 and more particularly the Managing Director of the Respondent No.2 is directed to disburse the said amount to the Petitioner within a period of 60 days from the date of submission of a certified copy of the present order along with the bank details of the Petitioner.

**JUDGE**

**Comparing Assistant**