



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

222

CWP-3601-2024

Date of Decision: 13.05.2026

SUNITA AND ORS.

...Petitioners

Vs.

UTTRI HARYANA BIJLI VITRAN NIGAM AND ANR.

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Rajesh Goyal, Advocate for the petitioner

Mr. Vivek Saini, Advocate with
Mr. Arnav Goel, Advocate
for respondents No.1 and 2-UHBNV

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking modification of order dated 28.12.2023 whereby respondent has determined compensation of Rs.12,00,875/-.

2. On 21.01.2026, the following order was passed by this Court:-

“Counsel for the petitioners has invited the attention of the Court to notification dated 08.07.2019, Annexure P-4, issued by the Uttar Haryana Bijli Vitran Nigam (UHBNV), which provides for the procedure for determining compensation to injured/deceased in cases of fatal/non-fatal accidents due to electrocution. Counsel asserts that interest on the compensation amount is also liable to be paid by the respondents. In particular, reference has been made to para 11 of the policy, which is reproduced hereunder:-

“11. Private Person for Fatal Accident & Non-Fatal Accidents UHBVN is engaged in the hazardous activity and risky for the human life and thus UHBVN owns strict liability for compensation to the private person. Accordingly, the compensation to the private person shall be payable in case of fatal as well as non-fatal accident irrespective of the reasons for such accident as the electricity system is open to the public. The compensation amount shall be payable as per provision of the Employees Compensation Act, 1923. However, this compensation shall be applicable for the accident cases occurring with the electrical network of the UHBVN and not in private premises.”

Written statement has been filed on behalf of the respondents annexing therewith a photocopy of the notings of an official file, whereby compensation has been calculated. A perusal of the calculation sheet shows that the compensation payable has been calculated on the basis of Income Tax Return for the year 2017- 18. Undisputedly, accident which has resulted in the demise of Majid took place on 01.11.2022. As per the above reproduced extract of the scheme, compensation has to be calculated in terms of the provisions of the Employees Compensation Act, 1923. Reliance could not placed by the respondents upon Income Tax Return of 2017-18.

Respondents are directed to re-calculate the compensation payable to the petitioner under of the scheme. The calculation sheet be produced before this Court on the next date.

List on 13.05.2026.”

3. Learned counsel for the respondent at the outset submits that respondent has recalculated amount of compensation. As per memo dated 23.04.2026 the recalculated amount comes to Rs.14,41,050/-. The differential amount would be paid within four weeks from today.

4. Learned counsel for the petitioner submits that petitioner is entitled to interest as per Section 4A of Employees Compensation Act, 1923 (for short ‘1923 Act’) . The respondent has paid interest to many similarly situated victims.
5. Learned counsel for the respondent expressed his inability to controvert aforesaid statement, however, submits that respondent should not be subjected to interest for the period prior to date of filing application.
6. In the backdrop, the petition stands dispose of with a direction to respondent to pay differential amount within four weeks from today. The respondent shall further calculate and pay interest @12% as prescribed under Section 4A of 1923 Act from the date of filing application to date of payment.
7. Pending application(s), if any, stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

May 13, 2026
Deepak DPA

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No