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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-25364-2024 (O&M)

Date of Decision: 07.05.2026

Ram Dulari Devi

...Petitioner

Versus

Punjab State Power Corproation Limited and Others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Sunil Kumar Tandon, Advocate
for the petitioner.

Mr. Rehat Bir Singh Mann, Advocate
for the respondents.

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 11.07.2024 (Annexure P-9) whereby respondent has rejected petitioner's claim for compensation as per policy dated 08.12.2023 framed by Punjab State Power Corproation Limited (PSPCL).

2. The petitioner's husband namely Rakesh Ray on 08.07.2018 died due to electrocution. He died along with two other workers. They were working in a building where 11 KV wire was passing through. There was distance of 1 ½ feet between the electric line and wall where workers were doing labour job. FIR No.46 dated 08.07.2018 under Section 304-A IPC was registered at Police Station Tibba, District Ludhiana. The petitioner claimed compensation. The respondent did not consider her claim. She preferred **CWP No.3994 of 2022** before this

Court which was disposed of with a direction to respondents to consider her claim as per Policy. The respondent by impugned order has rejected her claim on the ground that there was no fault of PSPCL.

3. Learned counsel representing the petitioner submits that as per compensation policy, compensation can be denied if there is negligence on the part of victim. In the present case, there is no such allegation or findings still claim has been rejected.

4. Learned counsel representing the respondents submits that as per Clause (C) of Paragraph 8 of the Policy, compensation is not payable where accident occurs due to victim's negligence. The deceased at the behest of owner of the building was working in a building which was unauthorized. In any case, there was lapse on the part of owner of the building and respondents cannot be held liable.

5. Heard the arguments and perused the record.

6. From the perusal of policy, it is evident that concerned Senior XEN has to ensure that accident has not occurred due to victim's negligence. Clause (C) of Paragraph 8 of the Policy reads as:

“C. Concerned Sr. XEN will verify all the documents and satisfy himself that the death of the victim was caused by electric shock in PSPCL's Electrical Infrastructures or equipment's and not in private premises. He shall further ensure that the accident with private person has not occurred due to his own negligence. Thereafter, he will finally submit the case to the Circle office.”

7. From the perusal of above quoted Clause of the Policy, it is evident that Senior XEN has to ensure that accident has not occurred due to victim's negligence. In the present case, respondent is not claiming that accident occurred due to deceased's negligence. In such circumstances,

respondent was liable to pay compensation as per 2023 Policy. The aforesaid policy is a piece of beneficial legislation, thus, it should be liberally interpreted. The petitioner, at a young age, had lost her husband. The impugned order deserves to be set aside and accordingly set aside. The respondents are hereby directed to quantify amount of compensation payable to petitioner as per aforesaid Policy. The needful shall be done within six weeks from today. It is made clear that respondents would also consider question of interest while determining amount of compensation. If the respondents believe that owner/contractor of the building or Municipal Corporation was at fault, they may proceed against anyone or all of them in accordance with law.

8. *Allowed.*
9. Pending application(s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)

JUDGE

07.05.2026

Prince Chawla

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