



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

CWP-28641-2024 (O&M)
Date of Decision: 15.05.2026

Anjali

...Petitioner

Versus

Uttar Haryana Bijli Vitram Nigam Limited and Another

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

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

Mr. Vivek Saini, Advocate and
Mr. Arnav Goel, 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 31.05.2024 whereby respondent has rejected her claim for compensation as per notification dated 08.07.2019.

2. Learned counsel representing the petitioner submits that petitioner's husband passed away on 19.08.2019 while installing tent for a function. Iron pipe which he was holding touched 11 KV wire and he expired. The respondent has rejected her claim on the ground of deceased's negligence. As per aforesaid notification, there is no fault liability of the respondent-UHBN.

3. Learned counsel representing the respondents on being confronted with Clause 11 of aforesaid notification expressed his inability to controvert that liability of respondent-UHBN is no fault liability, however, he submits that respondent vide notification dated 05.04.2024 has amended policy and as per amended notification, respondent-UHBN is not responsible in case of negligence of the deceased/injured person.



4. Heard the arguments and perused the record.
5. From the perusal of record, it is evident that as per Clause 11 of notification dated 08.07.2019, there is no fault liability of the respondent-UHBVN. Clause 11 reads as:

“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.”

6. The respondent has amended notification in April’ 2024 whereas incident in the present case took place in August’ 2019. The amendment is not retrospective in nature. Petitioner’s case is squarely covered under notification dated 08.07.2019.
7. In the backdrop, the petition deserves to be allowed and accordingly **allowed**. The respondents are hereby directed to calculate and release amount of compensation to the petitioner as per notification dated 08.07.2019.
8. Pending application(s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

15.05.2026
Prince Chawla

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