

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO. 6670 OF 2022
(Arising out of SLP (C) 9997 of 2019)

JASWINDER KAUR AND ORS.

Appellant(s)

VERSUS

PUNJAB STATE ELECTRICITY BOARD PATIALA (NOW
PUNJAB STATE POWER CORPORATION LTD.) & ORS.

Respondent(s)

O R D E R

Leave granted.

1. Feeling aggrieved and dissatisfied with the impugned judgment and order dated 26.11.2018 passed by the High Court of Punjab and Haryana at Chandigarh in Regular Second Appeal No.5408 of 2016, by which the High Court has dismissed the said appeal preferred by the original claimants denying the compensation, the original claimants have preferred the present appeal.

2. We have heard learned counsel appearing on behalf of the respective parties at length. We have also gone through the impugned judgment and order passed by the High Court and the reasoning given by the High Court. We have gone through the Report submitted by the Assistant Electricity Inspector. From the Report submitted by the Assistant Electricity Inspector, it cannot be said that there was no negligence at all on the part of the employer-Punjab State Electricity Board (for short 'the Board'). It is specifically mentioned in the Report that the accident could have been avoided if the staff deployed at 220 KV Grid sub-Station, Mohali have performed their duty with responsibility and carefully as not to start supply to 11 KV Urban Feeder without getting the permit canceled from 11 KV Urban Feeder. It is not in dispute

that, as such, the deceased was serving as a Lineman with the respondent-Board and he died due to electrocution while he was on the pole and all of a sudden the electricity supply started.

3. The aforesaid aspect has not been considered by the High Court at all. Under the circumstances, the impugned judgment and order passed by the High Court denying the compensation to the heirs is not sustainable. We are of the opinion that if a total sum of Rs.5 Lakhs is awarded to the original claimants inclusive of the interest, cost etc., the same shall meet the ends of justice and the same can be said to be just compensation to the heirs of the deceased.

4. In view of the above and for the reasons stated above, the present appeal succeeds in part. The impugned judgment and order passed by the High Court is hereby quashed and set aside. The respondent Board is directed to pay a total sum of Rs.5 Lakhs to the original claimants-appellants herein towards the compensation and full and final settlement of the claim towards the compensation against the respondents, more particularly, the respondent-Board to be paid within a period of six weeks from today, failing which it shall carry the interest at the rate of 7.5% from the date of the present order till the actual payment.

The present appeal is allowed accordingly. No costs.

..... J.
(M.R. SHAH)

..... J.
(KRISHNA MURARI)

New Delhi;
September 15, 2022.

ITEM NO.6

COURT NO.8

SECTION IV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G SSLP (C) No(s). 9997/2019

JASWINDER KAUR & ORS.

Petitioner(s)

VERSUS

PUNJAB STATE ELECTRICITY BOARD PATIALA (NOW
PUNJAB STATE POWER CORPORATION LTD.) & ORS.

Respondent(s)

Date : 15-09-2022 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE M.R. SHAH
HON'BLE MR. JUSTICE KRISHNA MURARIFor Petitioner(s) Ms. S. Janani, AOR
Mr. Nishant Kumar, Adv.For Respondent(s) Ms. Uttara Babbar, AOR
Mr. N.S. Minhas, Adv.
Mr. Sukesh Ghosh, Adv.
Mr. Arjun Sain, Adv.
Mr. N.N. Bain, Adv.
Ms. Shashi Kiran, AORUPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The present appeal is allowed in terms of the signed order.

Pending applications, if any, stand disposed of.

(R. NATARAJAN)
ASTT. REGISTRAR-cum-PS

(Signed order is placed on the file)

(NISHA TRIPATHI)
ASSISTANT REGISTRAR