



CWP-23297-2025

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

(132)

CWP-23297-2025

Date of decision:- 12.08.2025

**GURPREET KAUR AND OTHERS****... PETITIONERS****VERSUS****PUNJAB STATE POWER CORPORATION LIMITED AND OTHERS****... RESPONDENTS****CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present:- Mr. Mitul Singh Rana, Advocate  
for the petitioners.

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**SUVIR SEHGAL, J.**

1. Through the instant proceedings filed under Article 226 of the Constitution of India, petitioners have assailed letter dated 13th May, 2024, Annexure P-5, whereby their claim for grant of compensation for untimely death of Paramjit Singh due to electrocution, has been declined.
2. Petitioners are the heirs of Paramjit Singh, who was an agriculturist. A mobile tower was installed in the agricultural field by Reliance Jio, which was encircled by a iron wire fence. Deceased and his father had grown vegetables in the agriculture fields. On 21st June, 2023, at 08:30 P.M., Paramjit Singh went to his field, but did not return home. His father found him lying near the iron fence and immediately took him to the Civil Hospital, Fatehgarh Sahib, where he was declared as brought dead.

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3. Counsel for the petitioner submits that a high tension wire had been laid by Punjab State Power Corporation Limited (PSPCL), which was touching the metal fence. He submits that PSPCL was grossly negligent in not erecting a pole to support the wire, which had come in contact and electrified the fence. By referring to photographs, Annexure P-3, he submits that when Paramjit Singh came in contact with the wire fence, he was electrocuted. Reference has been made to postmortem report, Ex.P-2. Counsel states that despite requests, when the respondents failed to compensate the petitioners, they filed a writ petition (CWP No. 28316 of 2023), which was disposed of by this Court on 15.12.2023 with a direction to the petitioners to approach the respondents for seeking compensation in terms of policy bearing Office Order No.10 IRO 676, dated 08.12.2023. Counsel asserts that despite the fact that the policy provides for grant of compensation in case of fatal and non-fatal accidents, the respondents have erred in rejecting the claim vide the impugned order.

4. Advance copy of the petition has been served upon the official respondents, who have put in appearance through Mr. H.N.Sahu, Advocate. He has filed his Memorandum of Appearance, which is taken on record. Counsel for respondents No.1 and 2 asserts that the claim is not covered under the aforesaid policy and has been rightly declined.

5. Having heard counsel for the parties and examining the documents appended with the paperwork, this Court is of the view that there is no merit in the writ petition. The relevant extract of the impugned order reads as under:-

*“Till now, the petitioner, Gurpreet Kaur, has*



*not approached the respondent-authorities for seeking claim compensation as per the policy. However, taking suo moto consideration of the decision, the report was asked from SDO, City Bassi Pathana. As per the report, "Lt. Paramjit Singh had died in private premises where there is no infrastructure of PSPCL, and due to electrocution from privately owned appliances with which PSPCL is not related in any way. Moreover, the time when this incident is said to have taken place, there was no tripping recorded on the feeder dated 21.06.2023, indicating no accident occurred on PSPCL's feeder. Also, neither the Complaint Centre of village Bahadurgarh nor the Sub Division received any information about the death on 21.06.2023."*

6. From the impugned order, it is evident that PSPCL has categorically stated that it does not have any infrastructure or equipment in the private premises where the unfortunate incident took place. Case of the petitioner also is that the mobile tower had been erected by a private company and in order to protect it, a wire fence had been installed around it, which was electrified by an overhanging electric wire. It is not clear as to whether the cable as depicted from the photographs, Annexure P-3, belongs to PSPCL or a private company. First and foremost, it will have to be determined as to whether the wire belongs to the PSPCL or to the tower company. The second aspect, which is required to be verified is as to whether the wire had come in contact with the fence and led to its electrification resulting in the unfortunate incident. In the absence of any direct evidence, this Court in the exercise of the writ jurisdiction cannot enter into the arena of disputed facts. In order to determine the liability, if any, of PSPCL or the private company, the petitioners will have to approach the Civil Court and lead evidence to establish their case. This Court is not in a position to determine the liability of either of the respondents.

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7. Writ petition is not maintainable and is dismissed as such. Liberty is granted to the petitioners to avail the remedy available to them in accordance with law. Needless to mention, in case the petitioners choose to do so, any observation made hereinabove shall not be treated as an observation on the merits of the claim of the petitioners.

**(SUVIR SEHGAL)**  
**JUDGE**

12.08.2025

*Kamal*

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No