



## HARYANA VIDYUT PRASARAN NIGAM LIMITED

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To

1. The CE/Admn., HVPNL, Panchkula.
2. The CGM/Admn., UHBVN, Panchkula.
3. The CE/Admn., HPGCL, Panchkula.
4. The CE/Admn., DHBVN, Hisar.

Memo No. 95/UB-2 (7)

Dated: 04.2023

**Subject: CWP No. 1165 of 2018 titled as Mamta Rani & Ors. Vs. DHBVN & Ors.**

Attention is drawn to judgment dated 02.07.2019 passed in subject cited case vide which the Hon'ble High Court has dismissed the petition filed by the petitioner seeking compensation from Nigam on account of electrocution. The operative part of judgment dated 02.07.2019 is given here under: -

"At the outset, the learned counsel appearing on behalf of the petitioner has failed to show whether the construction of the house was authorized or not. This Court has gone through the case file but there is not even a single word that the construction of the house is authorised.

Chapter VII of the notification dated 20.09.2010 (Annexure R-1) deals with safety requirements for overhead lines, underground cable and generating stations, relevant portion of which reads as under:-

"60. Clearance from buildings of lines of voltage and service lines not exceeding 650 Volts.-(1) An overhead line shall not cross over an existing building as far as possible and no building shall be constructed under an existing overhead line."

In view of the above, the present civil writ petition is bereft of merit and is hereby dismissed."

It is an important judgment on the point that the deceased had raised illegal and unauthorized construction of residential house contrary to the provision of Electricity Act, 2003 read with CEA Rules and without the knowledge and notice of the respondent department. Due to illegal raising of construction below the line

and department is not responsible for compensate the petitioners. The above judgment be circulated to offices under your control for praying dismissal of similar cases by placing reliance on the judgment dated 02.07.2019 passed by Hon'ble High Court. It is also requested to direct the concerned Deputy Secretary, Technical to host the Judgment dated 02.07.2019 on the website of concerned Power Utility. A complete copy of judgment dated 02.07.2019 is enclosed herewith for ready reference.

This issue with the approval of L.R.

DA/As above



Legal Officer,  
HPU, Panchkula.

CC:-

1. The Deputy Secretary/Technical, UHBVN, Panchkula and DHBVN, Hisar, HVPNL, Panchkula for hosting on website.
2. The SE/IT, HPGCL, Panchkula.
3. The CE OP Circle, UHBVN, Panchkula & Rohtak.
4. The CE OP, DHBVN, Hisar.