

Satpal and Another Vs. Ram Kishan and Others

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Court : Haryana State Consumer Disputes Redressal Commission SCDRC
Panchkula

Decided On : Apr-24-2014

Judge : Nawab Singh, President, the Honourable Mr. B.M. Bedi, Judicial Member
& the Honourable Mrs. Urvashi Agnihotri, Member

Appeal No. : First Appeal No. 60 of 2014

Appellant : Satpal and Another

Respondent : Ram Kishan and Others

Judgement :

Nawab Singh, President (Oral):

1. Satpal and his wife Smt. Kamla Devi“complainants (appellants herein) filed the present appeal against the order dated December 23rd, 2013, passed by the District Consumer Disputes Redressal Forum (for short District Forum), Kaithal.
2. On March 22nd, 2007, Salinder Singh (since deceased) aged 18 years, son of the appellants died due to electrocution. Postmortem Examination was conducted on the dead body of Salinder Singh on the same day. F.I.R. No.32 dated March 22nd, 2007 was also recorded in the Police Station Kalayat, under Section 304-A I.P.C against the officials of the Electricity Department.

3. In their complaint by the parents of the deceased, it was stated that he died due to the negligence of the Electricity Department.

4. The complainants filed complaint before the District Forum, under Section 12 of the Consumer Protection Act, 1986.

5. After evaluating the evidence of the parties, the District Forum allowed the complaint by granting following relief:-

œ.we allow the complaint and direct the Ops to pay Rs.1,00,000/- to the complainants within 30 days from the communication of this order, failing which, the complainants shall be entitled interest @ 8% p.a. from the date of filing this complaint till its realization and further to pay Rs.2200/- as compensation for harassment, mental agony and cost of litigation charges. All the Ops are jointly and severally liable to pay the amount to the complainants.?

6. Dissatisfied with the compensation awarded by the District Forum, the complainants have come up in appeal.

7. The age of the deceased at the time of his death was 18 years. The appellants have lost their young son. Taking into consideration their economic state of condition and the age of the deceased etc, it will be just and fair to enhance the compensation from Rs.1.00 lac to Rs.3.00 lacs and is ordered accordingly.

8. In view of above, compensation awarded by the District Forum is modified to the extent that the appellants are held entitled to total compensation of Rs.3,00,000/-. Interest at the rate of 9% shall be paid on the enhanced amount of Rs.2,00,000/- from the date of filing of complaint till its realization.

9. The impugned order is modified to the extent indicated above and the appeal stands disposed of.

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