

(2010) 04 NCDRC CK 0025

In the National Consumer Disputes Redressal Commission

Dhbnl

APPELLANT

Vs

Vidhya Devi

RESPONDENT

Date of Decision : 07-04-2010

Acts Referred:

Citation : 2010 3 CPJ 198

Hon'ble Judges : B.N.P.Singh J.

Advocate : R.S.Badhran

Judgement

1. BUFFALO of respondent, which came in contact of astray wire of electricity, connected with electric pole, died due to electrocution. Post-mortem of buffalo was conducted by Veterinary Surgeon, who gave positive finding about buffalo having died due to electrocution and also assessed damage of Rs. 25,000. As claim of respondent was not redressed by petitioner, respondent knocked door of Consumer Fora filing consumer complaint. Though claim was resisted by petitioner, District Forum on appraisal of pleadings of parties accepting claim directed petitioner to pay compensation of Rs. 5,000 to respondent. In addition to assessment of damage of Rs. 25,000 made by Veterinary Surgeon, State Commission too dismissed appeal finding no merit.

2. DEFENCE of petitioner raised before Fora below is reiterated simply to be rejected that since buffalo died due to negligence on part of respondent and also that since respondent was not a consumer, petitioner was not liable to pay compensation. Petitioner, which transmits energy has a duty to ensure safety and security of persons, animals and other objects. Loose wire remaining exposed to risk is causes damages, petitioner must be held liable to compensate losses. Finding no merit, revision petition is dismissed with no order as to costs. Revision Petition dismissed.