

WP(C) 859/2017
BEFORE
HON'BLE MR. JUSTICE ARUP KUMAR GOSWAMI

Heard Ms. V. Grover, learned counsel for the petitioners. Also heard Mr. T.C. Chutia, learned State counsel, appearing for the respondent Nos.1 to 5, 8 & 9 and Mr. M. Choudhury, learned counsel, appearing for the respondent Nos.6 & 7. On the prayer of Ms. Grover, the name of the respondent No.10 is struck off from the array of respondents.

On her oral prayer, the Union of India, represented by the Ministry of Home Affairs, Jai Sing Road, New Delhi, is permitted to be impleaded as respondent No.12 under the initials of Ms. J. Hazarika, learned counsel.

Mr. S.C. Keyal, learned Assistant Solicitor General of India, who is present in the Court, accepts notice on behalf of the respondent No.12.

Issue notice of motion, returnable in 6(six) weeks.

No formal steps with regard to the respondent Nos.1 to 9 and 12 are called for as they are duly represented. However, extra copies of the writ petition be served on the learned counsel appearing for the said respondents.

Steps for service of notice on the respondent No.11 by registered post with A/D.

Steps by 27.02.2017.

The learned counsel for the petitioners has prayed for an interim order to pay the balance amount of Rs.1 Lakh, which the petitioner No.1 is entitled, as a victim of acid attack, to receive as compensation under the Assam Victim Compensation Scheme, 2012.

Under the aforesaid Scheme, the District Legal Services Authority is the disbursing authority for payment of compensation and in the instant case, it is not in dispute that the District Legal Services Authority, Kamrup had earlier made payment of compensation amount of Rs.2 Lakhs to the petitioner No.1.

Mr. Choudhury has submitted that the petitioner No.1 is entitled to the balance amount of Rs.1 Lakh. He submits that immediately on approach being made by the petitioner No.1, she will be paid Rs.1 Lakh by way of a cheque.

At this stage, Ms. Grover submits that the petitioner No.1, who is the victim, is undergoing treatment and it may not be possible for her to come personally to collect the payment and, therefore, the Legal Services Authority may deposit the amount of Rs.1 Lakh in the bank account of the petitioner No.1. She submits that the particulars of bank account of the petitioner No.1 will be furnished to the respondent No.6 and on such information being supplied, the respondent No.6 may deposit the amount in the said bank account.

Mr. Choudhury has submitted that if an appropriate application is filed, the money will be deposited in the bank account of the petitioner No.1.

Mr. Choudhury has also pointed out that on 09.11.2016, a communication was issued by the Joint Secretary to the Government of India, Ministry of Home Affairs to the Chief Secretaries of all State Governments/UT Administrations on the subject of additional compensation of Rs.1 Lakh to the victims of acid attack under Prime Minister National Relief Fund (PMNRF) in addition to the compensation under the Central Government Victim Compensation Fund (CVCF) and that the petitioner may also consider filing an appropriate application before the Deputy Commissioner, Kamrup in terms of the aforesaid Scheme.

While appreciating the gesture of Mr. Choudhury, Ms. Grover submits that she will look into the matter and do the needful.

Let a copy of this order be furnished to Mr. Choudhury.