

GAHC010012702017



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C) 859/2017

1:NISHAMONI BORAH and ANR.
D/O MR. ROHINI BORAH R/O BORIGAON, P.O. DHALPUR P.S. BIHPURIA
DIST. LAKHIMPUR.

2: NORTH-EAST NETWORK NEN
REP. BY ITS PROGRAM MANAGER
ASSAM HEAD OFFICE
J.N. BAROOAH LANE
JORPUKHURI
GUWAHATI - 781001

VERSUS

1:THE STATE OF ASSAM and 10 ORS.
REP. BY THE CHIEF SECRETARY, GOVT. OF ASSAM, DISPUR, GUWAHATI -
781005.

2:THE COMMISSIONER AND SECRETARY TO THE
GOVT. OF ASSAM
DEPARTMENT OF SOCIAL WELFARE
DISPUR
GUWAHATI - 781005.

3:THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF ASSAM
DEPARTMENT OF HEALTH AND FAMILY WELFARE
DISPUR
GUWAHATI- 781005.

4:THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF ASSAM
DEPARTMENT OF HOME AND POLITICAL AFFAIRS
GUWAHATI - 781005.

5:THE COMMISSIONER AND SECRETARY
DEPARTMENT OF FINANCE
DISPUR
GUWAHATI- 781005.

6:THE DISTRICT LEGAL SERVICES AUTHORITY
REP. BY ITS SECRETARY
REP. BY ITS SECRETARY
DISTRICT AND SESSIONS JUDGE OFFICE CAMPUS
KAMRUP
ASSAM.

7:THE ASSAM STATE LEGAL SERVICES AUTHORITY
REP. BY ITS SECRETARY
DIGHALIPUKHURI
GUWAHATI
ASSAM.

8:OFFICER IN CHARGE
BAHARALUMUKH POLICE STATION
GUWAHATI - 781009.

9:OFFICERIN-CHARGE
WOMEN POLICE STATION
PANBAZAR
GUWAHATI --781001.

10:SANJEEVANI HOSPITAL
A.T. ROAD
MALIGAON
GUWAHATI - 781011.

11:UNION OF INDIA
REPRESENTED BY THE MINISTRY OF HOME AFFAIRS
JAI SINGH ROAD
NEW DELH

Advocate for the Petitioner : MR.A PHUKAN

Advocate for the Respondent : ASSTT.S.G.I.

BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

29.08.2019

Heard Mrs. V. Grover, learned counsel for the writ petitioners. I have also heard Mr. B. Gogoi, learned Standing Counsel, Health Department, Assam, appearing for the respondent Nos.3 and 5, Mr. M. Mahanta, learned counsel appearing for the respondent Nos.6 and 7 and Ms. K. Phukan, learned Govt. Advocate, Assam, appearing for respondent Nos.1, 2, 4, 8 and 9. None has appeared for the remaining respondents.

The writ petitioner herein is a victim of acid attack. Due to the severe injuries suffered by her, the petitioner had to undergo prolonged medical treatment at Guwahati and subsequently outside the State of Assam including Hyderabad.

Mrs. Grover submits that although the writ petitioner had received compensation paid through the respondent Nos.6 and 7 under the victim compensation scheme, no reimbursement of the medical expenses has been made to the petitioner by the Government of Assam. That apart, by drawing the attention of this Court to the prayers made in the writ petition, the learned counsel for the petitioner submits that the State of Assam is yet to come up with appropriate regulation/notification in response to the directions issued by the Supreme Court of India in paragraph 9 of the decision rendered in the case of **Laxmi vs. Union of India** reported in **(2014) 4 SCC 427**.

Mr. Gogoi submits that he be granted two weeks time to obtain necessary instructions on both the points and apprise this Court.

On the request made by learned counsel for the parties, let this matter be

listed again on 20.09.2019.

Considering the gamut of issues involved in this writ petition, Mrs. Grover is granted leave to file a supplementary consolidated affidavit. Her prayer seeking amendment of certain incorrect statements made in the additional affidavit dated 26.08.2019 also stands granted.

Registry to list this case again on 20.09.2019 as a fixed item by reflecting the name of Mr. B. Gogoi, learned Standing Counsel, Health Department, Assam, in the Cause List.

JUDGE

Comparing Assistant