

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15523 of 2011

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1. Mahendra Paswan S/O Late Bodhan Paswan R/O Village- Sabalchak, Tankuppa,
Police Station- Bazirganj, District- Gaya

.... Petitioner

Versus

1. The State Of Bihar
2. The District Magistrate, Gaya
3. The Block Development Officer, Tankuppa , Gaya
4. The Deputy Development Commissioner, Gaya
5. The District Welfare Officer, Gaya

.... Respondents

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Sanjay Pandey, GP21

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 09-10-2015

Nobody has appeared on behalf of the petitioner.

Counsel for the State is present. No rejoinder to the counter affidavit
has been filed.

Heard.

In the light of order dated 17.09.2015 a copy of the
counter affidavit has been produced by the counsel for the State for
perusal of the Court.

The writ application seeks a direction upon the
respondents to provide relief and rehabilitation facilities. According to
Rule 12(4) of the Scheduled Castes and Scheduled Tribes (Prevention
of Atrocities) Act such claim is raised. In the year 2002 while the
petitioner was going along with his brothers, the accused persons

assaulted him causing injuries for which an FIR was lodged on 29.3.2002.

In the counter affidavit the respondents have stated that considering the nature of the atrocity hurled on the petitioner a sum of Rs. 25,000/- as compensation amount was sanctioned and paid to him in the year 2004-05 itself. Apart from the payment of the monetary compensation the petitioner was also given the monetary benefits of Indira Awas Yojana. Apart from those benefits the petitioner is also recipient of pension provided to the physically handicapped persons. The charge sheet in the criminal case has already been filed and the case is pending consideration.

Having regard to the statements made in the counter affidavit, detailing the benefits both the monetary and otherwise provided to the petitioner for being subjected to atrocity, in my view, no further relief in the writ petition on the basis of pleadings made therein can be granted to the petitioner.

The writ application is dismissed.

Dismissal of this application shall, however, not preclude him from ventilating his grievance for other benefit/relief before the appropriate authority in accordance with law.

(Kishore Kumar Mandal, J)

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