

**IN THE HIGH COURT OF PUNJAB AND HARYANA, AT
CHANDIGARH**

CIVIL WRIT PETITION No. 22895 of 2012(O&M)

Date of Decision: September 14, 2015

Poor Patients Relief Society and others -----Petitioners

Versus

State of Punjab and others -----Respondents

**CORAM: HON'BLE MR. JUSTICE SATISH KUMAR MITTAL.
HON'BLE MR. JUSTICE MAHAVIR S. CHAUHAN.**

Present: Shri H.C. Arora, Advocate for the petitioners.

Shri Gaurav Garg Dhuriwala, Deputy Advocate General,
Punjab.

Shri Lokesh Sinhal, Additional Advocate General, Haryana.

Shri Shekhar Verma, Advocate for respondent No. 4.

Shri Pawan Kumar Longia, Advocate for Union of India.

SATISH KUMAR MITTAL, J. (ORAL)

“.....Public interest litigation is brought before the Court not for the purpose of enforcing the right of one individual against another as happens in the case of an ordinary litigation, but it is intended to promote and vindicate public interest which demands that violation of constitutional or legal rights of large number of people who are poor, ignorant or in a socially or economically disadvantaged position should not go unnoticed and unredressed.” It was, perhaps, with this object as enunciated by the Hon'ble Supreme Court of India in **People's Union for Democratic Rights v. Union of India, AIR 1982 SC 1473**, that Poor Patients Relief Society and a few others, on having come to know of an incident wherein a young boy,

whose wish to marry a girl was not fulfilled, threw acid on the face of the young girl, resulting into disfigurement of her face and loss of sight, invoked extra-ordinary jurisdiction of this Court by way of the instant civil writ petition under Articles 226/227 of the Constitution of India seeking issuance of a writ of mandamus directing the respondent-State to sanction/release adequate amount of compensation so as to enable the hapless victim to defray the expenditure on her treatment and rehabilitation.

02. Notice of motion issued in the matter showed magical impact as Fortis Hospital, SAS Nagar (Mohali) came forward and offered to provide treatment to the victim (respondent No.3) *pro bono*. It was also conveyed on behalf of Fortis Hospital that Shankar Netralaya, Chennai was also willing to provide treatment to the victim, *pro bono*, for restoration of her vision.

Though the matter could be closed at that stage but the fact that basic aim of administration of justice is to do justice as per law and it is through effective jurisprudence that the rights of victims can be protected, otherwise the victim remains a meek viewer in the whole process of justice and the offender enjoys the facilities of food and shelter in jail, impelled this Court to go ahead and seek State's response on the larger issue of providing compensation to victims of such or similar crimes in general.

03. During the course of hearing State of Haryana, Union Territory of Chandigarh and Union of India were also impleaded as respondents. This Court was apprised that there in the State of Haryana a scheme for payment of compensation to, and rehabilitation of, victims of crimes was in place. Union Territory of Chandigarh and State of Punjab were requested to formulate similar schemes.

04. It transpired that in the Haryana Scheme there was no provision for grant of compensation to victims of acid attacks. Accordingly, State of Haryana was requested to amend the Scheme and include victims of acid attack in the definition of “Victim”.

05. Today affidavit of Secretary, Government of Haryana, Home Department has been placed on record wherein it has been stated that the State of Haryana has amended the Scheme and acid attack victim has been included in the definition of “Victim”. We are told that State of Punjab and Union Territory of Chandigarh have also framed such schemes and the same are being implemented in letter and spirit.

06. Learned counsel for the petitioners has submitted that there may be some old victims still getting treatment and some provision for such patients needs to be made. Needless to say that for such patients it shall be open to approach concerned District Legal Services Authority for getting treatment in a Government Hospital.

07. In view of the above, we are of the opinion that no further directions are necessary in the matter.

08. Disposed of.

[SATISH KUMAR MITTAL]
JUDGE

September 14, 2015
Adhikari

[MAHAVIR S. CHAUHAN]
JUDGE

