

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

Civil Writ Petition No. 19633 of 2014 (O&M)

Date of Decision: 16.10.2019

Court on its own motion

.....Petitioner

versus

State of Punjab, Haryana, U.T. and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJIV SHARMA, JUDGE**

Present : Ms. Alka Chatrath, Advocate as Amicus-Curiae.
Mr. Dheeraj Jain, Senior Central Government Counsel for UOI.
Mr. Rajiv Sharma, Advocate,
Mr. Daman Dhir, Advocate and
Mr. Raman Dhir, Advocates for U.T. Administration,
Chandigarh.
Mr. Samarth Sagar, Addl. Advocate General, Haryana.
Mr. Suveer Sheokand, Addl. Advocate General, Punjab.

RAVI SHANKER JHA, CHIEF JUSTICE (oral)

This petition was taken up suo-motu by this Court looking to the condition of a minor child who was 3 ½ years old and whose mother had been murdered by her father and whose father and grand mother are behind bars. Several interim directions were issued by this Court and Ms. Alka Chatrath, Advocate, was requested to assist this Court as an *Amicus-Curiae*.

Learned Amicus-Curiae points out that Union of India has already framed the Model Rules and Foster Care Scheme in terms of the Juvenile Justice (Care & Protection of Children) Model Rules, 2016 framed under the Juvenile Justice (Care & Protection of Children) Act, 2015. It is

also brought to the notice of this Court that the Haryana Government way back in the year 1984 had published a notification in the Official Gazette dated 06.02.1984 relating to providing financial assistance to destitute children, which have been named as Haryana Department Children (Grant of Financial Assistance) to Destitute Children Rules, 1978. It is also brought to the notice of this Court that several directions were issued by this Court on 24.10.2017 and on 23.10.2018 this Court had ordered the Directors, Social Welfare of the States of Punjab, Haryana and Union Territory, Chandigarh to hold a joint meeting alongwith the learned Amicus Curiae Ms. Alka Chatrath to chalk out further measures required to be taken for the purposes of proper implementation of the provisions of the Juvenile Justice (Care & Protection of Children) Act, 2015 and various Rules framed and guidelines issued thereunder. It is also informed that two meetings have already taken place and the next meeting is going to be held on 21.10.2019.

It is observed that the entire field relating to the subject matter is now taken care of by the provisions of the Juvenile Justice (Care & Protection of Children) Act, 2015 and the various Rules and guidelines issued thereunder. It is also informed that High Court Level Committee is monitoring the implementation of the aforesaid Act, Rules and guidelines and that the petition is already pending before this Court for the purpose of monitoring the implementation of the Juvenile Justice (Care & Protection of Children) Act, 2015.

In such circumstances and in view of the facts that have been placed before us, we think it appropriate to dispose of this petition with a direction to the effect that the Committee of the three Directors, Social Welfare; learned Amicus Curiae and learned Additional Solicitor General of

India Mr. Satya Pal Jain, would hold its meeting and may make whatever necessary recommendations to appropriate authorities and also forward the same to the High Court Level/High Powered Committee which is looking into the implementation of the Juvenile Justice (Care & Protection of Children) Act, 2015. As the emergent situation relating to the child in question has already been taken care of by the authorities, we do not find it appropriate to keep this petition pending any further.

With these observations, this petition stands disposed of.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(RAJIV SHARMA)
JUDGE

16.10.2019
ravinder sharma

Whether speaking/reasoned	√Yes/No
Whether reportable	Yes/No√