

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

207

CWP-13852-2016 (O&M).
Date of Decision: 18.07.2023.

ARUNA TRIPATHI

.. Petitioner

Versus

STATE OF HARYANA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Ms. Veena Kumari, Advocate,
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana.

Mr. J.S. Chandail, Addl. Standing Council,
for U.T. Chandigarh.

Mr. Rajeev Anand, Advocate,
for the respondent/CBI.

Mr. Satya Pal Jain, ASGI with
Ms. Gurmeet Kaur Gill, Sr. Panel Counsel, Union of India.

Mr. Ravi Kamal Gupta, Advocate (*Amicus Curiae*).

VINOD S. BHARDWAJ, J. (ORAL)

The present writ petition has been filed for seeking
compensation under the Victims Compensation Scheme.

Learned counsel appearing on behalf of the petitioner contends
that petitioner is entitled to a compensation of Rs.3 lakhs on account of the
injuries sustained by her which such compensation is to be released by the
State Legal Services Authority.

In the affidavit filed by the Additional Chief Secretary to Government of Haryana, Home Department, Haryana, dated 01.04.2019, they have referred to disbursement of an amount of Rs.3,00,000/- by referring to the disbursement of Rs.1,50,000/- by the District Legal Services Authority (DLSA) Faridabad and Rs.1,50,000/- by the Women and Child Development Department of the Government of Haryana.

Learned counsel for the petitioner contends that the amount of Rs.1,50,000/- released by the Women and Child Development Department, Haryana, was an advance towards the medical expenses as per the applicable Scheme since 100% medical expenses of the victim are required to be reimbursed by the Women and Child Development Department, Haryana. The compensation element being separate and distinct, the same is to be disbursed by the District Legal Services Authority (DLSA) as per the Victim Compensation Scheme. She further contends that out of the amount of Rs.1,50,000/- received from the Women and Child Development Department, Haryana, the actual expenses incurred towards medical treatment was Rs.25612/- and that the balance amount had been returned by her to the said Department.

Learned counsel for the respondent-District Legal Services Authority, fairly submits that the petitioner is entitled to compensation of Rs.3,00,000/- as per the Victim Compensation Scheme and that only a sum of Rs.1,50,000/- had been released in terms of the interim order passed by this Court.

Taking into consideration the fact that the entitlement of the petitioner to compensation for a sum of Rs.3,00,000/- for the injuries sustained by her is not disputed and further learned counsel representing the

District Legal Services Authority fairly concedes that only a sum of Rs.1,50,000/- has been released and the balance remains pending, I do not see any justification as to why the remaining compensation to which the petitioner is entitled is being withheld.

Accordingly, the present petition is disposed of with a direction to respondent No.3-Haryana State Legal Services Authority, to disburse the remaining amount of compensation to the tune of Rs.1,50,000/- to the petitioner within a period of 04 weeks from today. Needless to mention that in case the above said amount is not released within the period as specified above, the petitioner shall be entitled to interest @ 6% per annum from the date of filing of the present petition till its actual disbursement.

Since the main case stands disposed of, pending misc. applications, if any, shall also stand disposed of accordingly.

July 18, 2023
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No