

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-28383-2023

Date of decision: 18.12.2023

GIRJA SHANKAR

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present:- Mr. Sanyam Bhardwaj, Advocate
for the petitioner.

Mr. Sehajbir Singh Aulakh, Asstt. A.G. Punjab.

VINOD S. BHARDWAJ, J. (Oral)

Prayer made in the present writ petition is for seeking issuance of directions to respondents No.1 to 3 to grant of the compensation to minor rape victim, under the Punjab Victim Compensation Scheme, 2017 in case FIR No. 249 dated 20.11.2019 registered under Sections 363, 366-A and 376 of the IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012 at Police Station Dakha, Sadar Khanna (Annexure P-1).

Learned counsel appearing on behalf of the petitioner contends that the minor daughter of the petitioner was subjected to rape by the accused persons qua which the FIR has been registered. Vide judgment dated 17.10.2022, the accused persons already stand convicted for commission of the offences as aforesaid and an order has

also been passed to pay the compensation to the prosecutrix.

After the passing of the above said order, an application was filed by the petitioner before the trial Court for grant of compensation as no final compensation had been determined at the time of passing of the judgment whereupon, the said application was allowed vide order dated 16.05.2023 and the District Legal Services Authority, Ludhiana was directed to award compensation to the tune of Rs. 2 lakhs to the prosecutrix in terms of the scheme of the Government of Punjab. Notwithstanding the said order, the compensation has not been paid. Consequently, the petitioner submitted a representation through e-mail dated 23.10.2023 to the respondents but no action has been taken thereupon.

Learned counsel appearing on behalf of the petitioner contends that the above said representation is still pending with the respondent-Punjab State Legal Services Authority at this stage and that he would be satisfied in case the present petition is disposed of directing the respondents to take a expeditious and a time bound decision thereupon.

Notice of motion.

Mr. Sehajbir Singh Aulakh, Asstt. A.G. Punjab accepts notice on behalf of respondent-State and has no objection to the above said prayer if granted.

Accordingly, the present writ petition is disposed of without commenting on the merits of the case and with the consent of the parties directing the respondent-Legal Services Authority, Punjab to take a decision on the pending representation dated 23.10.2023

submitted by the petitioner within a period of 03 months after receipt of certified copy of this order after granting of opportunity of hearing to the respective parties, if necessary.

Disposed of accordingly.

(VINOD S. BHARDWAJ)
JUDGE

DECEMBER 18, 2023

Vishal sharma

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