

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4509 of 2020

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Sunil Kumar, Son of Kapildeo Prasad, resident of Village- Padma Nagar,
Ward No. 35, Ujjain Tola, Near LIC Office, P.S.- Bettiah, District- West
Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary-cum-Legal Remembrancer,
Department of Law, Government of Bihar, Patna.
2. The Secretary, Bihar State Legal Services Authority, Budh Marg, Patna.
3. The Executive Chairman, Bihar State Legal Services Authority, Budh Marg,
Patna.
4. The District Magistrate, West Champaran, Bettiah.
5. The Superintendent of Police, District- West Champaran, Bettiah.
6. The Chairman, District Criminal Injury Compensation Board, West
Champaran.
7. The Chairman, District Legal Services Authority, West Champaran, Bettiah.
8. The Chief Medical Officer, District- West Champaran, Bettiah.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate
For the Respondent/s : Mr.Prasant Pratap (GP-2)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 17-10-2024 Though the present writ petition has been filed for directing the respondent authorities to pay compensation to the tune of Rs. 7,00,000/- to the petitioner, who is an acid attack victim and has sustained injury/disability to the extent of 45.1%, as has been certified by the Civil Surgeon-cum-C.M.O., West Champaran, Bettiah, Bihar, by issuance of a certificate titled as “Certificate for the persons with disabilities”, dated 08.06.2018, however, it is not disputed that as per the gazette notification



dated 20.07.2018, by which the Bihar Victim Compensation (Amendment) Scheme, 2018, has been notified, the amount of compensation to be paid to an acid attack victim in case where the injury/disability is less than 50% is in between a sum of Rs. 3,00,000/- to 5,00,000/-, nonetheless, it is pointed out that by a letter dated 25.03.2021, written by the Secretary, District Legal Services Authority, West Champaran, Bettiah, the Superintendent of Police, West Champaran, Bettiah has been informed that since the injury sustained by the petitioner is less than 50%, a sum of Rs. 2,00,000/- has been paid to the petitioner, which according to the learned counsel for the petitioner is against the aforesaid Scheme notified in the gazette on 20.07.2018, hence it is submitted that appropriate direction be issued to the respondents.

2. At this juncture, the learned counsel for the respondent-State submits that in case the petitioner is aggrieved by the aforesaid decision contained in letter dated 25.03.2021, by which the claim of the petitioner has been restricted to a sum of Rs. 2,00,000/-, he can file an appeal before the Secretary, Bihar State Legal Services Authority, Patna.

3. At this juncture, the learned counsel for the petitioner seeks liberty to challenge the decision taken by the



Secretary, District Legal Services Authority, West Champaran, Bettiah, as contained in letter dated 25.03.2021, restricting the claim of the petitioner to a sum of Rs. 2,00,000/-, by filing appropriate appeal before the Secretary, Bihar State Legal Services Authority, Patna. Liberty, so sought, is granted.

4. It is needless to state that in case appropriate appeal is filed within a period of four weeks from today, the same shall be disposed off in accordance with law, forthwith.
5. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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