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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 7175/2020**

SIMRAN

..... Petitioner

Through: Ms. Sanjan Srikumar, Ms. Joicy,
Advocates

versus

GOVT OF NCT OF DELHI AND ORS

..... Respondents

Through: Ms. Harshita Nathrani, Mr. Vedansh
Vashisht, Advocates for Mr. Sameer
Vashisht, ASC, Civil, GNCTD for R-
1 and 3
Mr. Sarfaraz Khan, Mr. A. Wahid,
Mr. M. A. Baig, Advocates for R-2

CORAM:

HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER

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21.02.2024

1. The present petition is filed under Article 226 of the Constitution. The petitioner has made the following prayers which reads as under:-

- a) **Direct the Respondent herein to pay the petitioner an compensation of Rs 19,00,000 under the Delhi Victim Compensation Scheme, 2018;**
- b) **Direct Respondent to grant the petitioner an additional amount of Rs 2 lakhs for the harassment and inconvenience to the petitioner due to the inordinate delay;**
- c) **Direct Respondent No 1 to conduct the case of the petitioner in a fast and just manner;**

2. The petitioner is stated to be the victim of human trafficking/kidnapping and was subjected to sexual commercial exploitation. FIR bearing no.0137/2018 was also got registered under sections



363/366A/368/370/370A/376/109/34 IPC at P.S. Kamla Market.

3. It is stated that the trial arising out the said FIR is pending before the concerned court. The petitioner also applied for grant of interim compensation/compensation. The District Victim Compensation Committee, Central District, Tis Hazari Courts, Delhi vide order dated 26.09.2023 has awarded interim compensation to the tune of Rs.2,50,000/-.

4. The petitioner being aggrieved filed victim compensation appeal bearing no.04/2023 before the Chairperson, Central District, Tis Hazari Courts, Delhi, which is stated to be the appellate authority and the appellate authority vide order dated 19.12.2023 has enhanced the interim compensation to Rs. 4,75,000/- but the claim of the petitioner regarding the final compensation at the appellate stage were declined. It was ordered that the District Legal Services Authority, Central District may consider the question of granting the final compensation after the conclusion of the trial.

5. The counsel for the petitioner stated that the petitioner has already received interim compensation of Rs.4,75,000/- from the District Legal Services Authority, Central District.

6. The counsel for the petitioner seeks permission to withdraw the present petition with liberty to claim final compensation after conclusion of the trial in view of the para no.14 of the order dated 19.12.2023 passed by Sh. Narottam Kaushal, Chaiperson, Central District, Legal Services, Tis Hazari Courts, Delhi as being an appellate authority. Para no.14 is reproduced as under:-

14.Hence, I allow the appeal in part to the extent that interim compensation is enhanced to Rs.4,75,000/- and DSLSA is directed to release the balance amount of Rs.2,25,000/- to the victim forthwith. However, the appeal is disallowed with respect to final



compensation at this stage. I order that Central DLSA may consider the question of granting final compensation after the conclusion of trial.

7. Accordingly, the present petition is allowed to be dismissed as withdrawn with liberty to the petitioner to raise the claim of final compensation after conclusion of the trial arising out of FIR bearing no.0137/2018 registered at P.S. Kamla Market under sections 363/366A/368/370/370A/376/109/34 IPC, in view of the para no.14 of the order dated 19.12.2023.

8. The counsel for the respondent no.2 is also directed to place on record the order dated 19.12.2023 within 07 days.

DR. SUDHIR KUMAR JAIN, J

FEBRUARY 21, 2024

j/ak