



CWP-2860-2025

-1-

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

124

CWP-2860-2025

Date of Decision :03.02.2025

Neelam

...Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Uday Pratap Singh, Advocate for the petitioner.

* * *

Harsimran Singh Sethi, J. (Oral)

1. Learned counsel for the petitioner submits that the issue which has been raised in the present petition is covered by the order passed by the Coordinate Bench of this Court in **CWP-6104-2024 titled as Savita and others vs. State of Haryana and others, decided on 11.12.2024,** wherein, the reasons given for declining the consideration of claim for compensation on the ground that the same should have been raised under the Motor Vehicles Act, 1988, has been rejected.

2. Notice of motion.

3. Mr. Gaurav Jindal, Addl. A.G. Haryana accepts notice on behalf of respondents-State.

4. Learned counsel for the respondent-State has not been able to rebut that the claim of the petitioner qua the impugned orders dated 31.10.2023 & 26.09.2024 (Annexures P/1 & P/2) is covered by the



CWP-2860-2025

-2-

judgment of Coordinate Bench of this Court in the case of Savita (supra) keeping in view the agreement between the parties.

5. I have heard learned counsel for the parties and have gone through the record with their able assistance.

6. The only question which arises in the present petition is whether to claim the compensation under Haryana Victim Compensation Policy, 2020, the procedure to be adopted is to file petition under the Motor Vehicles Act, 1988 or to file petition before the District Legal Service Authority.

7. The said question has already been decided by the Coordinate Bench of this Court in the case of Savita (supra).

8. Learned counsel for the respondent-State has not been able to rebut that the District Legal Service Authority has the jurisdiction to decide such claim.

9. Keeping in view the said fact, impugned orders dated 31.10.2023 & 26.09.2024 (Annexures P/1 & P/2) are set aside. Case is remanded back to the District Legal Service Authority, Ambala to decide the claim in accordance with law.

10. Parties are directed to appear before the District Legal Service Authority, Ambala on 25.02.2025.

February 03, 2025
aarti

(HARSIMRAN SINGH SETHI)
JUDGE

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