



CWP-1791-2025

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

(265-1)

CWP-1791-2025

Date of decision:-11.08.2025

DAYA DEVI AND ANOTHER

... PETITIONERS

VERSUS

STATE OF HARYANA AND OTHERS

... RESPONDENTS

(265-2)

CWP-2793-2025

RAMESH KUMAR

... PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

... RESPONDENTS

(265-3)

CWP-2837-2025

DEEPAK

... PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

... RESPONDENTS

(265-4)

CWP-2869-2025

SUMAN

... PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

.. RESPONDENTS

(265-5)

CWP-2884-2025

RAMPHAL

... PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

... RESPONDENTS

(265-6)

CWP-2916-2025

KAILASHO

... PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

... RESPONDENTS



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(265-7)		CWP-2925-2025
KALURAM		... PETITIONER
	VERSUS	
STATE OF HARYANA AND OTHERS		... RESPONDENTS
(265-8)		CWP-2943-2025
SEEMA		... PETITIONER
	VERSUS	
STATE OF HARYANA AND OTHERS		... RESPONDENTS
(265-9)		CWP-2946-2025
SEEMA		... PETITIONER
	VERSUS	
STATE OF HARYANA AND OTHERS		... RESPONDENTS
(113)		CWP-20769-2025
ROOBI		... PETITIONER
	VERSUS	
STATE OF HARYANA AND OTHERS		... RESPONDENTS
(116)		CWP-21344-2025
SURYA AND ANOTHER		... PETITIONERS
	VERSUS	
STATE OF HARYANA AND OTHERS		... RESPONDENTS
(117)		CWP-21345-2025
DARSHAN		... PETITIONER
	VERSUS	
STATE OF HARYANA AND OTHERS		... RESPONDENTS



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(118)

SANDEEP

CWP-21427-2025

... PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

... RESPONDENTS

(119)

RAMDULARA

CWP-21465-2025

... PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

... RESPONDENTS

(120)

CHANDIRAM

CWP-21470-2025

... PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

... RESPONDENTS

(121)

SANDEEP

CWP-21472-2025

... PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

... RESPONDENTS

(122)

PARVEEN KUMAR

CWP-21485-2025

... PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

... RESPONDENTS

(123)

PREM KUMAR

CWP-21489-2025

... PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

... RESPONDENTS

**CWP-1791-2025****-4-****(124)****SUBHAS CHAND****CWP-21516-2025****... PETITIONER****VERSUS****STATE OF HARYANA AND OTHERS****... RESPONDENTS****(130)****SAMEER****CWP-23111-2025****... PETITIONER****VERSUS****STATE OF HARYANA AND OTHERS****... RESPONDENTS****(141)****SUDESH****CWP-23216-2025****... PETITIONER****VERSUS****STATE OF HARYANA AND OTHERS****... RESPONDENTS****CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present:- Mr. Uday Pratap Singh, Advocate
for the petitioner(s) in all cases.

Ms. Svaneel Jaswal, Additional Advocate General, Haryana and
Mr. Deepak Vashisth, Deputy Advocate General, Haryana
for the respondent(s) in all cases except in CWP-1791-2025 and 08
connected cases listed at Serial No.265.

Mr. Aakash Singla, Additional Advocate General, Haryana
for the respondent(s) in CWP-1791-2025 and 08 connected cases
listed at Serial No.265).

***********SUVIR SEHGAL, J. (ORAL)**

1. This order shall dispose of the above noted twenty one writ petitions as they involve common questions of law and fact. For the sake of convenience, factual position is being noticed from CWP-1791-2025.
2. Assailing orders dated 29.11.2023 and 26.09.2024, Annexures P-1 and P-2, respectively, petitioners have approached this Court for quashing

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them as well as for issuance of a writ in the nature of mandamus directing the Legal Services Authority to determine compensation payable as per Clause 5 (3) of Haryana Victim Compensation Scheme, 2020 (for short “the Scheme of 2020”).

3. Petitioners are the widow and son of Ved Parkash, who lost his life in an accident with an unidentified vehicle on 19.05.2024. An FIR No.65 was lodged on the same day under Sections 279 and 304-A, IPC at Police Station Titram, Kaithal. The driver of the offending vehicle could not be found and an untraced report was filed by the police before the Judicial Magistrate. Claiming compensation under the Scheme of 2020, legal heirs of the deceased filed an application before the District Legal Services Authority (DLSA), Kaithal, which was rejected vide impugned order, Annexure P-1, and appeal filed by them was declined by the Haryana State Legal Services Authority (HLSA) vide impugned order, Annexure P-2. Both the authorities have dismissed the application on the ground that under Clause 5 (9) of the Scheme of 2020, cases which are covered by the Motor Vehicles Act, 1988 (for short “M.V. Act”) or where the compensation is to be awarded by the Motor Accident Claims Tribunal (for short “the MACT”), would not fall within the ambit of the scheme. Despite notice and grant of opportunities, respondents have not filed any response.

4. I have heard counsel for the parties and considered their submissions, besides examining the paper-book.

5. The question as to whether victims of a hit and run case under M.V. Act can claim compensation under the Scheme of 2020 has been adjudicated



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by a Coordinate Bench of this Court in **“Savita and others Versus State of Haryana and others”, 2025 (1) PLR 17.** Examining the provisions of the various statutes, this Court held that the Scheme of 2020 has been notified under Section 357-A (4) of CrPC, which stipulates the grant of compensation to the victims where the offender is untraceable or cannot be identified and no trial takes place. Victim or his/her dependents are then entitled to make an application to the District or State Legal Services Authority for award of compensation under the Scheme of 2020. This Court observed that Clause 5 (9) of the Scheme of 2020 excludes cases where compensation is to be awarded by the MACT under M.V. Act and no other category of cases has been ousted from the scope of the scheme. Setting aside the orders passed by the HSLSA, this Court remitted the matter for decision afresh in accordance with law as per the applicable scheme. This judgment has been followed by this Court in **CWP-2790-2025** titled as **“Sahil Versus State of Haryana and others”**, decided on 03.02.2025; **CWP-2860-2025** titled as **“Neelam Versus State of Haryana and others”**, decided on 03.02.2025 and **CWP-2791-2025** titled as **“Savitri Versus State of Haryana and others”**, decided on 05.02.2025.

6. Counsel for the respondents has not been able to show that the petitioners have approached MACT and that petitioners have filed a petition claiming compensation under Sections 163-A or 166 or any other provision of M.V. Act on account of the death of the breadwinner of the family. This Court is, therefore, of the view that the matter is squarely covered with the judgment in **Savita’s case (supra)**.

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7. As a result, impugned orders, Annexures P-1 and P-2, are set aside. Matter has to be remitted to the DLSA concerned to take a decision afresh.

8. All the petitions are disposed of. Miscellaneous application(s), if any, stand disposed of.

9. Parties are directed to appear before DLSA concerned on 10.09.2025, which shall proceed in accordance with law keeping in view the observations of this Court in **Savita's case (supra)**.

(SUVIR SEHGAL)
JUDGE

11.08.2025

Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No