
(2023) 08 JH CK 0005
In the Jharkhand High Court
Case No : Writ Petition (C) No. 426 Of 2023

Lalita Devi

APPELLANT

Vs

State Of Jharkhand And Others

RESPONDENT

Date of Decision : 03-08-2023

Acts Referred:

Citation : (2023) 08 JH CK 0005

Hon'ble Judges : Sanjay Kumar Dwivedi, J

Bench : Single Bench

Advocate : Shailesh Poddar, Yogesh Modi

Final Decision : Disposed Of

Judgement

Sanjay Kumar Dwivedi, J

1. This petition has been filed for direction upon the respondent concerned to grant victim compensation to the petitioner as per the schedule of National Legal Services Authority Guidelines for Woman Victims as contained in Annexure-5. The further prayer is made to grant prosthetic leg to the petitioner.

2. Mr. Poddar, the learned counsel appearing on behalf of the petitioner submits that the petitioner is poor adivasi woman who used to collect mahua flower seeds from the nearby forest to her residence and resides with her husband who is a farmer and she has two minor daughters. He submits that the petitioner on 12.4.2022 went to the nearby forest to collect the mahua flower/ seeds as per regular custom to earn livelihood for the family by selling them and while returning from collecting mahua flower/ seeds on 12.4.2022 unknowingly she stepped on land mine which exploded and injured her badly and the said occurrence lead to institution of the F.I.R being Peshrar P.S. Case No.12 of 2022. He submits that Jharkhand State Legal Services Authority (Jhalsa) Ranchi has also forwarded the application of the petitioner to DLSA, Latehar in October, 2022 itself, however, till date, the matter is pending. He further submits that the petitioner has already filed the application before the Deputy Commissioner,

Latehar for providing compensation in light of the Central Scheme for Assistance to Civilian Victims/ Family of Victims of Terrorist/ Communal/ Left Wing Extremism (LWE) Violence for Cross Boarder Firing and Mine/ IED Blasts on Indian Territory, 2019. He submits that in view of the scheme the Deputy Commissioner is the competent authority to take decision.

3. Mr. Modi, the learned counsel appearing for the respondent State submits that if the matter is pending before the DLSA, this matter may be disposed of by directing the DLSA authority to expedite the matter. He further submits that the DLSA and the Deputy Commissioner, Latehar can take decision.

4. In view of the above, it appears that the said application is pending before the DLSA, Latehar and the Deputy Commissioner, Latehar. This petition is being disposed of with direction to the DLSA, Latehar and Deputy Commissioner, Latehar to take decision in view of the aforesaid scheme for such compensation to the petitioner within six weeks from the date of receipt/ production of a copy of this order.

5. With above observation and direction, this petition is being disposed of.

6. Pending petition, if any, also stands disposed of accordingly.