
(1987) 03 RAJ CK 0019

In the Rajasthan High Court

Case No : Criminal (Jail) Revision No. 259 of 1986

Maresh and Others

APPELLANT

Vs

State of Rajasthan

RESPONDENT

Date of Decision : 05-03-1987

Acts Referred:

Citation : (1987) 2 WLN 87

Hon'ble Judges : G.M. Lodha, J

Bench : Single Bench

Judgement

Guman Mal Lodha, J.—In compliance of the judgment the office has sent letters with copies of judgment for necessary action on 20th February, 1987 to Director, Social Welfare Department of Rajasthan, Jaipur, Director Medical and Health Jaipur, the Chief Secretary to the Government of Rajasthan Jaipur, the District and Sessions Judge, Dholpur, the Secretary to the Government of Rajasthan, Medical and Health Department, Jaipur, the District Magistrate Alwar, the District Magistrate, Dholpur. However, none of them have responded so far. Shri Purohit, learned Public Prosecutor has mentioned that some effective steps may be taken as there has been one more incident of the same nature in Dholpur District during last week.

2. It has been directed in the above judgment that medical aid to all these victims should be provided by bearing the expenditure of Rs. 10,000/-in each case by the State. This should be done by giving best possible surgical treatment to the victims for reviving their eye sight if it is possible.

3. In consonance with the practice adopted by the Supreme Court in various decisions including the decision of Chhatra Yuva Sangharsha Vahini and Anr. v. The State of Gujarat and Ors. (Special Leave Petition (Civil) No. 3608 of 1985, decided on May, 13,1985), where two Commissioners, Smt. Srilata Swaminathan and Shri Mahendra Chaudhari were appointed to go to Gujarat from Banswara for ascertaining the facts and doing the compliance with the directions of the court. I deem it proper that one counsel should be appointed from Jaipur who can

proceed to Dholpur for getting this order complied with by identifying the victims and ensuring their treatment as directed at the cost of the State.

4. Consequently, Shri G.K. Garg, Advocate, who is present in the court, who has volunteered himself to perform the above duties without charging any fees, is appointed Commissioner for implementation of the above judgment. He would proceed to Dholpur and contact the District Judge and District Magistrate or in his absence the other senior officer of the District would provide him all facilities including transportation for going around the area where the victims are residing and for calling them and then for sending them to Jaipur with the learned Counsel. In case the learned Counsel finds that it is necessary to take assistance of any of the Advocate at Dholpur, he will be at liberty to take assistance after consultation with the District Judge of that place.

5. All the victims mentioned in the judgment should be brought at Jaipur so that the Head of the Department of Eye Ward of S.M.S. Medical Hospital, Jaipur can examine them and then provide all possible treatment. The expenses for bringing them from the native place to Jaipur and sending them back would be borne by the District Magistrate of Dholpur.

6. The Secretary Department of Law and Justice is directed to ensure that a suitable amount of Rs. 2,000/- is paid to the above learned Counsel for incurring expenditure for travelling etc. from Jaipur to Dholpur. The District Magistrate and the other senior officers in his absence would provide all facilities to the above Commissioner and his assistant if any appointed by the District Judge, Dholpur for staying at Dholpur in the Government accommodation and for conveyance. Other facilities for implementation of the above judgment should also be provided.

7. Mr. Garg would also be at liberty to move an application for further directions in case he feels any problem or difficulty in the implementation of the judgment. A copy of this order may be immediately given to Mr. Garg and also sent to the other functionaries mentioned/referred to above. This copy should be accompanied by the main judgment, where the same has not been sent so far.