

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.12252 of 2022

(Through Hybrid mode)

Sukuludei Santa

....

Petitioner

Mr. S. Bag, Advocate

-versus-

Govt. of Odisha and others

....

Opposite Parties

Mr. A. K. Sharma, Addl. Govt. Advocate

CORAM: JUSTICE ARINDAM SINHA

ORDER

18.05.2022

Order No.

01.

1. Mr. Bag, learned advocate appears on behalf of petitioner and submits, his client is widow of a person, who was murdered. By this writ petition she seeks direction for payment of victim compensation. He submits, his client had approached the District Legal Services Authority. A case was registered as Victim Compensation Case no.84 of 2020. Nothing has happened, for which his client has moved Court.

2. Mr. Sharma, learned advocate, Additional Government Advocate appears on behalf of State and submits, the Legal Services Authority is to move petitioner's case before the appropriate authority.

3. It could not be shown that Legal Services Authorities Act, 1987 mandates claimants of victim compensation to forward their claims through the authority to the administration. The administration has a policy on compensation. The authority

merely renders assistance to claimants in moving the administration. Petitioner here first approached the authority and then has moved Court.

4. Petitioner has disclosed copy of FIR dated 13th April, 2019 along with death certificate showing date of death of her husband was on 9th April, 2019. Also said in the FIR that it was filed against unknown persons. Perusal of the FIR reveals, occurrence of offence reported to be between 9th April, 2019 and 10th April, 2019. Information received at the police station was on 13th April, 2019. Informant mentioned in the FIR is uncle of the deceased. Contents of the first information was that the deceased had gone missing on 9th April, 2019 at 8.00 P.M. and was found the next day in the field of one Bhaga Santa. It is clear that dead body was found, since the death certificate says death was on 9th April, 2019.

5. Court has taken pain to analyze the facts for assistance of the administration in executing its policy on compensation. On behalf of State it is submitted that opposite party no.3 is to recommend. Petitioner will approach opposite party no.3, with this order. Said opposite party is directed to deal with petitioner's claim for compensation, recommend the same for forthwith disbursement of compensation and inform her the result within three weeks of approach.

6. The writ petition is disposed of.

(Arindam Sinha)
Judge