

High Court of Sikkim

Record of proceedings

WP(Crl.) No.02 of 2016

Harka Bahadur Subba vs. Nirmal Chaya, N.G.O. and Others

BEFORE

THE HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, JUDGE

13. 10-08-2017 Present : Mr. Joginder Tuli, Advocate for the Petitioner.

Ms. Babita Rai, Advocate as Amicus Curiae.

Mr. Karma Thinlay, Senior Government Advocate with Mr. S. K. Chettri and Mrs. Pollin Rai, Assistant Government Advocates for the State-Respondent No.2.

Ms. Chumsang Bhutia, Protection Officer, Social Justice, Empowerment & Welfare Department, Government of Sikkim, in person.

The State-Respondent No.2 has filed a Compliance Report dated 05-08-2017.

Firstly, it may be mentioned that in pursuance to the Order of this Court dated 14-07-2017, the concerned Department has issued a Cheque bearing No.095172 for an amount of Rs.14,324/- (Rupees fourteen thousand, three hundred and twenty four) only, dated 03-08-2017, drawn on the Sikkim State Co-operative Bank Ltd.

Mr. Joginder Tuli, Advocate for the Petitioner, acknowledges receipt of the said Cheque.

It is next submitted that it would not be feasible for the Social Justice, Empowerment and Welfare Department, Government of Sikkim, to arrange visits for the victim to her family twice a month, in view of the financial implications. They undertake to ensure one visit per month. This is agreed to by Learned Counsel for the Petitioner.

Further, it is submitted that, on enquiry from the Paljor Namgyal Girls' School, Gangtok, Sikkim, the fee structure is found to be high and beyond the provisions of the Government Department. The Department undertakes to keep the minor child

at Balika Niketan Children Home (Girls), East Sikkim, till she attains the age of twenty-one years. That, she will continue her school education at Tadong Senior Secondary School, where she has been admitted and is presently in Class VIII. That, if so required, after her schooling, her stay at the Balika Niketan Children Home (Girls), East Sikkim, will be extended from twenty-one years to the age of twenty-three years, in keeping with Rule 25(2) of the Juvenile Justice (Care and Protection of Children) Model Rules, 2016. It is also submitted that there is an Educator who is a Graduate at the Balika Niketan Children Home (Girls), East Sikkim, who will provide proper guidance to the child.

Learned Counsel for the Petitioner submits that he may be granted liberty to approach the Social Justice, Empowerment and Welfare Department, Government of Sikkim, as and when any grievance arises.

This is not objected to.

Considered and ordered accordingly.

In view of the above submissions and circumstances, nothing further survives for adjudication.

Petition stands disposed of.

Judge
10-08-2017

Index : ~~Yes~~/No

Internet : Yes/~~No~~