



THE GAUHATI HIGH COURT AT GUWAHATI
(The High Court Of Assam, Nagaland, Mizoram and Arunachal Pradesh)
PRINCIPAL SEAT AT GUWAHATI

CASE NO : WP(C) 749/2014

District : Darrang

Category : 10189 (Other Civil Rules relating to other Writ Petitions.)

1 XXX

Petitioner/appellant/applicant

Versus

- 1 IN RE :- THE STATE OF ASSAM & ANR
REP. BY THE CHIEF SECRETARY, ASSAM GOVERNMENT
SECRETARIAT, BLOCK-C, 3RD FLOOR, DISPUR, GHY-6.
- 2 DIRECTOR GENERAL OF POLICE,
ASSAM, ULUBARI, GHY-7.

Respondent/Opp. Party

Advocates on record for Petitioner/appellant

- 1 MR. S K MEDHI
- 2 SC, GHC

Advocates on record for Respondents

- 1 GA, ASSAM
- 2 MR. A M BUZARBARUAH
- 3 MS. M BARMAN
- 4 MS. D GHOSH

CERTIFIED COPY OF JUDGEMENT / ORDER

BEFORE
HON'BLE MR. JUSTICE T. VAIPHEI
HON'BLE MR JUSTICE MANOJIT BHUYAN

DATE OF ORDER : 27/04/2016

(M. Bhuyan, J)

The acid attack on Ms. Rukmini Kalita, Ms. Nirupama Kalita and Ms. Karishma Kalita resulted in undergoing expensive medical treatment including surgery at Guwahati Medical College & Hospital. As a measure of compensation, amount standing at ` 3,00,000/- (Rupees three lakhs), ` 50,000/- (Rupees fifty thousand) and ` 10,000/- (Rupees ten thousand) were paid to the survivors respectively. Ms. D. Ghosh, the learned counsel representing the three survivors, submits that despite



the medical treatment so received, further surgery by way of plastic surgery etc is required in so far as Ms. Nirupama Kalita and Ms. Karishma Kalita are concerned. It is also stated that for the future treatment by way of plastic surgery, an estimate has been obtained from the Safdarjung Hospital, New Delhi, which discloses that an amount of ` 15,00,000/- (Rupees fifteen lakhs) would be required for the purpose. Ms. Ghosh also refers to the Apex Court case of Parivartan Kendra -versus- Union of India and others in WP(C) No.867/2013 to say that full responsibility is cast upon the State for bearing all expenses for treatment and rehabilitation of the victims of the acid attack.

At this stage, it would be difficult to ascertain the physical status and the need for further surgeries etc of Ms. Nirupama Kalita and Ms. Karishma Kalita without obtaining an expert opinion in this regard.

For the present, in order to obtain expert opinion, a direction is made to the Commissioner and Secretary, Health and Family Welfare Department, Assam to take immediate steps for constituting a Medical Board under the auspices of the Guwahati Medical College and Hospital to ascertain the physical status of Ms. Nirupama Kalita and Ms. Karishma Kalita. The position with regard to any necessity of future treatment by way of plastic surgery as well as the name of recognized Government hospital outside the State competent to undertake such treatment, if necessary, will be looked into by the Medical Board and report thereof be submitted before this Court by the next date fixed. The Medical Board shall also try to provide the probable expenses that may be involved for the future treatment. The date of sitting of the Board shall be communicated to Ms. Nirupama Kalita and Ms. Karishma Kalita one week in advance.

The matter be posted again on 06.06.2016, by which date Mr. P. Hazarika, the learned counsel representing the Health Department shall submit the report, as indicated above.

A copy of this order be furnished to all the learned counsels.

Sd/-
Justice Manojit Bhuyan
Judge

Sd/-
Justice T. Vaiphei.
Judge

DATE OF FILING APPLICATION	DATE WHEN COPY WAS READY	DATE OF DELIVERY	FEES PAID
03/05/2016	03/05/2016	03/05/2016	Rs. 100.00



Serial No.: 345256

Date: 03/05/2016

P 3/5/16

COMPARING ASSISTANT

CERTIFIED TO BE TRUE COPY

Lender Gul

Date: *03/05/2016*

Administrative Officer (Judicial)

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