



MAHARASHTRA STATE HUMAN RIGHTS COMMISSION, MUMBAI

Administrative Staff College Compound, 9, Hajarimal Somani Marg, Opp. C.S.T. Mumbai - 400001.

Tel: 22050791, Fax: 22091804/22093678/22078962. Website: <http://mshrc.maharashtra.gov.in> 12.06.09

Case No. 4/32/2006-07 / 1262

Name of the complainant : Bhaurao Natthuji Bhad
R/o Mandwa, Post-Rajurwadi
Tal-Ghatanji, Dist. Yavatmal.
V/s
The Superintendent of Police
Yavatmal.

Date : June 4, 2009.

Coram : Justice Kshitij R. Vyas (*Former Chief Justice*), Chairperson.

PROCEEDINGS

The complainant is absent at the time of hearing. On the last occasion also complainant did not remain present. On behalf of the respondent PSI Shri Tribak Tukaramji Dhabe attached to C.R. of Superintendent of Police Office, Yavatmal is present.

Since the case is old, the Commission has decided to dispose off the case on the basis of pleadings filed in the case.

The complainant states that his grand-daughter died in suspicious circumstances and despite his application proper inquiry was not made regarding her death. He also alleges that his daughter-in-law is trying to usurp the monetary compensation which would be received under Rajiv Gandhi Vidyarthi Vima Yojana and hence the complaint.

In the reply filed by the respondent it is submitted that the complainant's son and daughter-in-law have been living separately since last four years. The girl died due to drowning in a water tank. There is now a dispute between the two over the compensation. The police have submitted a statement signed by the girl's father, stating that he has no complaint against the police. It was his father who made the complaint only for the monetary compensation.

From the record it appears that the complainant has addressed a letter to the Commission on 10.2.2009 wherein he has stated that because of his economic condition, it is not possible for him to appear before the Commission at Mumbai. He has, therefore, requested that the hearing may be kept either at Amravati or at Nagpur.

Since the complainant is claiming the amount of compensation upon the death of his grand-daughter under Rajiv Gandhi Vidyarthi Vima Yojna and the dispute is in the nature of civil dispute, it is not possible for the Commission to decide the same. Regarding the claim of grand-father vis-à-vis his daughter-in-law, the ends of the justice shall be made if the following directions are given:

The complaint is transmitted to the Collector, Yavatmal who shall in turn hold discreet inquiry by calling the complainant and respondent and shall decide the claim of the complainant vis-à-vis, the mother of the deceased, the respondent No.2 herein. The Collector, Yavatmal shall decide rival claims after hearing the parties to the proceedings as early as possible preferably within two months from the receipt of this order.

The complainant is accordingly disposed off.



(Justice Kshitij R. Vyas)
Chairperson.

Mumbai; June 4, 2009.