

GAHC010010932026



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**THE GAUHATI HIGH COURT**  
**(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)**

**Case No. : WP(C)/496/2026**

SHAHIRA BIBI  
WIFE OF LT. MONIA SHEIKH ALIAS MONIYA SHEKH, VILLAGE-  
SAGUNMARI PART I, P.O. AND P.S. -BILASIPARA, DISTRICT- DHUBRI,  
ASSAM, PIN- 783348

VERSUS

THE STATE OF ASSAM AND 4 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT  
OF ASSAM, HOME AND POLITICAL DEPARTMENT , DISPUR, GUWAHATI-06

2:THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM  
FINANCE DEPARTMENT  
DISPUR  
GUWAHATI-06

3:THE ASSAM STATE LEGAL SERVICES AUTHORITY  
REPRESENTED BY ITS MEMBER SECRETARY  
GHY-01

4:THE DISTRICT LEGAL SERVICES AUTHORITY  
DHUBRI  
REPRESENTED BY ITS SECRETARY  
P.O. AND P.S. AND DIST.- DHUBRI  
ASSAM  
PIN- 783301

5:THE CHAIRMAN  
DISTRICT LEGAL SERVICES AUTHORITY  
DHUBRI  
ASSAM  
P.O. AND P.S. AND DIST.- DHUBRI

ASSAM  
PIN- 78330

**For the Petitioner(s) : Mr. M. Hussain, Advocate**

For the Respondent(s) : Ms. M. Barman, Govt. Advocate  
Mr. A. Chaliha, SC, Finance  
Mrs. R. S. Choudhury, SC, ASLSA

BEFORE  
**HON'BLE MR. JUSTICE DEVASHIS BARUAH**  
ORDER

30.03.2026

Heard Mr. M. Hussain, the learned counsel appearing on behalf of the petitioner. Ms. M. Barman, the learned counsel appears on behalf of the Home and Political Department as well as the District Legal Services Authority; Mr. A. Chaliha, the learned counsel appears on behalf of the Finance Department and Mrs. R. S. Choudhury, the learned counsel appears on behalf of the Assam State Legal Services Authority.

2. The petitioner herein is aggrieved by the delay in processing the petitioner's claim for victim compensation in terms with the Assam Victim Compensation Scheme, 2012.

3. The materials on record show that on 05.07.2025, the respondent No.4 had already passed an award that the petitioner

along with the other beneficiaries are entitled to an amount of Rs.5 lakhs as compensation. The grievance of the petitioner herein is that inspite of the award dated 05.07.2025, the respondents herein have not released the ex-gratia payment, and it is under such circumstances, the instant writ petition was filed before this Court on 19.01.2026.

4. This Court vide an order dated 04.02.2026 sought for instructions as to why the payment has not been made to the petitioner in pursuance to the award dated 05.07.2025. Today, Mrs. R. S. Choudhury, the learned counsel appearing on behalf of the Assam State Legal Services Authority, i.e. the respondent No.3 has placed an instruction on the aspect of disbursement of the amount of Rs.5 lakhs to the petitioner in terms with the order dated 05.07.2025. The said instruction is kept on record and marked with the letter "X".

5. A perusal of the said instruction reveals that though the petitioner along with the other beneficiaries are entitled to the amount of Rs.5 lakhs, but on account of inadequate disbursement of funds by the State Authorities, the said amount could not be paid to the petitioner. It is further mentioned that the District Legal Services Authority disburses the amount on the basis of priority criteria and chronological order, and at present, there are four other claimants above the petitioner and the

petitioner along with the other beneficiaries in terms with the order dated 05.07.2025 would be paid immediately upon receipt of the funds from the State Authorities after disbursing the entitlement to the claimants above the petitioner in chronological order.

6. This Court also heard Ms. M. Barman, the learned counsel who appears on behalf of the State who submitted that upon proposal being received, the said amounts would be disbursed to the District Legal Services Authority, Dhubri so that the payment can be made to the petitioner.

7. Taking into account the above, the instant writ petition therefore stands disposed of with the following observations and directions:

(i) The petitioner along with the other beneficiaries mentioned in the order dated 05.07.2025 shall be entitled to the amount of Rs.5 lakhs.

(ii) The respondent No.4 is directed to disburse the said amount of Rs.5 lakhs to the petitioner and the other beneficiaries as per the order dated 05.07.2025 upon receipt of funds by maintaining the priority and the chronological order.

(iii) The respondents, more particularly the Commissioner

and Secretary to the Government of Assam, Home and Political Department is directed to release the funds to the respondent No.4 as per the proposal submitted by the Assam State Legal Services Authority vide the letter bearing No.DLSA/VC/2012/790 dated 17.03.2026 so that the said amount can be disbursed to the petitioner.

(iv) The disbursal of the amount by the Commissioner and Secretary to the Government of Assam, Home and Political Department be done within a period of 60 days from the date a certified copy of the instant order is received by the said Authority from the petitioner.

**JUDGE**

**Comparing Assistant**