

GAHC010104752025



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

Case No. : WP(C)/2711/2025

MODINA KHATUN
W/O- LATE RAFIK UDDIN AHMED, VILL- TARANGAPUR PART -I, P.O AND
P.S- CHAPAR, DIST- DHUBRI, ASSAM, PIN-783371

VERSUS

THE STATE OF ASSAM AND ORS
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM, HOME AND POLITICAL DEPARTMENT
DISPUR, GUWAHATI-06

2:THE ASSAM STATE LEGAL SERVICES AUTHORITY
REPRESENTED BY ITS MEMBER SECRETARY
HIGH COURT OLD BUILDING
P.O. MEGHDOOT BHABAN
PANBAZAR
GHY-01

3:THE DISTRICT LEGAL SERVICES AUTHORITY
KOKRAJHAR
ASSAM
REP. BY ITS SECRETARY
P.O
P.S AND DIST- DHUBRI
ASSAM
PIN-783370

4:THE CHAIRMAN
THE DISTRICT LEGAL SERVICES AUTHORITY
KOKRAJHAR
ASSAM
P.O

P.S AND DIST- KOKRAJHAR
ASSAM

5:THE PRINCIPAL SECRETARY
FINANCE DEPARTMENT
GOVT OF ASSAM
DISPUR
GHY-06

6:THE SUPERINTENDENT OF POLICE
KOKRAJHAR
ASSAM

7:THE OFFICER IN CHARGE
KOKRAJHAR POLICE STATION
DIST- KOKRAJHAR
ASSA

Advocate for the Petitioner : ABDUL ALIM SK, MR K ISLAM,MD. I H KHAN,MS. N
NASRIN,MR. M U MONDAL

Advocate for the Respondent : GA, ASSAM, SC, ASLSA,SC, FINANCE

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

26.05.2025

1. Heard Mr. M. U. Mondal, learned counsel for the petitioner.
2. The present writ petition is filed against an order dated 25.03.2022 passed by the learned District & Sessions Judge cum Chairman, District Legal Services Authority, Kokrajhar, whereby, the application of the petitioner for grant of victim compensation was rejected for being barred under Clause 7 of the Assam Victim Compensation Scheme, 2012.
3. Beyond that the petitioner has also made a challenge to Clause 7 of the Assam Victim Compensation Scheme, 2012 framed under Section 357A of the Cr.P.C.. A

question has been raised whether challenge to such scheme is to be placed before a Division Bench or a Single Bench.

4. Accordingly, Registry to verify and list this matter before the appropriate Bench.

JUDGE

Comparing Assistant