

GAHC010117362024



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

Case No. : WP(C)/3042/2024

PARBATI BISWAS DAS
W/O- RATAN BISWAS, VILL- NO.2 BOMRABIL, P.O. AND P.S. GOSSAIGAON,
DIST- KOKRAJHAR, BTR, ASSAM, PIN- 783361, PRESENT ADDRESS- VILL-
BARUIPARA, NAJIRAN, P.O. DEUTIKHAT, RAMPUR, DIST- COOCH BEHAR,
WEST BENGAL, PIN- 736207

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, HOME AND POLITICAL DEPARTMENT, DISPUR, GUWAHATI-06

2:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
HOME AND POLITICAL DEPARTMENT
DISPUR
GUWAHATI-06

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

4:THE ASSAM STATE LEGAL SERVICES AUTHORITY
REPRESENTED BY ITS MEMBER SECRETARY
GAUHATI HIGH COURT OLD BUILDING
GHY-01

5:THE DISTRICT LEGAL SERVICES AUTHORITY
KOKRAJHAR
ASSAM
REPRESENTED BY ITS MEMBER SECRETARY

P.O. AND P.S. AND DIST- KOKRAJHAR
BTR
ASSAM
PIN- 783370

6:THE CHAIRMAN
DISTRICT LEGAL SERVICES AUTHORITY
KOKRAJHAR
ASSAM
P.O. AND P.S. AND DIST- KOKRAJHAR
BTR
ASSAM
PIN- 78337

Advocate for the Petitioner : MR. M HUSSAIN, MR A.K. MOLLAH,MR. R I MONDAL

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

Linked Case : WP(C)/5426/2022

MODINA KHATUN
W/O- LATE RAFIKUDDIN AHMED

VILL- TARANGAPUR PART-I

P.O AND P.S-CHAPAR

DIST- DHUBRI
ASSAM

PIN-783371

VERSUS

THE STATE OF ASSAM AND 6 ORS
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
HOME AND POLITICAL DEPARTMENT
DISPUR
GHY- 06.

2:ASSAM STATE LEGAL SERVICES AUTHORITY
REPRESENTED BY THE MEMBER SECRETARY

GUWAHATI 781001

3:THE DISTRICT LEGAL SERVICES AUTHORITY

KOKRAJHAR
ASSAM

REPRESENTED BY ITS SECRETARY

P.O
P.S AND DIST- DHUBRI
ASSAM

PIN-783370

4:THE CHAIRMAN
DISTRICT LEGAL SERVICES AUTHORITY
KOKRAJHAR
ASSAM

P.O
P.S AND DIST- KOKRAJHAR
ASSAM
PIN-783370

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
ASSAM

Advocate for : MR. M U MONDAL
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 6 ORS

Linked Case : 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
ASSAM

Advocate for : ABDUL ALIM SK
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND ORS

Linked Case : WP(C)/5339/2023

MAJEDA KHATUN
W/O- LT. ALI AKBAR
VILL- BESIMARI
P.O. CHALANTAPARA
P.S. JOGIGHOPA
DIST.- BONGAIGAON
ASSAM
PIN- 783388

VERSUS

THE UNION OF INDIA AND 7 ORS
REPRESENTED BY THE SECRETARY FINANCE DEPARTMENT
NEW DELHI-01

2:THE STATE OF ASSAM
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM
DISPUR
GHY-06

3:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
HOME AND POLITICAL DEPARTMENT
DISPUR
GUWAHATI-06

4:THE PRINCIPAL SECRETARY
REVENUE AND DISASTER MANAGEMENT
GOVT. OF ASSAM
DISPUR
GHY-06

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

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

7:THE DISTRICT LEGAL SERVICES AUTHORITY
BONGAIGAON
ASSAM
REPRESENTED BY ITS SECRETARY
P.O. AND P.S. AND DIST.- BONGAIGAON
ASSAM
PIN- 783380

8:THE CHAIRMAN
DISTRICT LEGAL SERVICES AUTHORITY
BONGAIGAON
ASSAM
P.O. AND P.S. AND DIST.- BONGAIGAON
ASSAM
PIN- 783380

Advocate for : MR. M U MONDAL
Advocate for : DY.S.G.I. appearing for THE UNION OF INDIA AND 7 ORS

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

28-07-2025

This batch of writ petitions relate to a claim for victim compensation which has been rejected by the respective District Legal Services Authorities.

In few of the writ petitions, challenge has been made to Clause 7 of the ***Assam Victim Compensation Scheme, 2012*** framed under Section 357 A of the Cr.PC.

In WP(C)/2711/2025, this Court had also raised a concern as to whether

these matters should be placed before a Division Bench or a Single Bench.

This Court has noted that in the checklist, there is an endorsement by the Deputy Registrar that these matters should be placed before the Division Bench.

Registry to verify and list these matters accordingly before the appropriate Bench.

JUDGE

Comparing Assistant