

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

1: 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

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

1: 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

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

1: 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

Linked Case : WP(C)/4768/2023

RABIA BEWA
W/O- LATE ABDUL HAI MONDAL VILL- BOWALIMARI P.O. KHEDUAJARAH
P.S. GOGIGHOPA DIST.- BONGAIGAON ASSAM PIN- 783380

VERSUS

1: 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

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

1: 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

For the Petitioner(s) : Mr. M. Hussain, Advocate for the petitioner in WP(C) No.3042/2024.
: Mr. M.U. Mondal, Advocate for the petitioners in WP(C)
No.5426/2022; WP(C) No.4768/2023; WP(C) No.5339/2023 and
WP(C) No.2711/2025.

For the Respondent(s) : Ms. K. Phukan, Central Government Counsel.
: Mrs. R.B. Bora, Junior Government Advocate, Assam.
: Mrs. R.S. Chowdhury, Standing Counsel, Assam State Legal Services
Authority.
: Ms. N. Bordoloi, Standing Counsel, Revenue & Disaster Management
Department.

– B E F O R E –

HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR
HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

20.02.2026

(Ashutosh Kumar, CJ)

At the instance of Mrs. R.B. Bora, learned Junior Government
Advocate, Assam, the matter is adjourned to 30.03.2026.

In the meantime, Ms. R.S. Chowdhury, who appears for the Assam State Legal Services Authority, shall also make enquiries whether the Schemes formulated in other States have this kind of provision limiting the period of time during which an application for compensation could be filed by the next kith and kin of the victim or the victim himself/ herself in cases of investigation against offences continuing for more than 6(six) months.

Let this matter come up for final consideration on **30.03.2026**.

JUDGE

CHIEF JUSTICE

Comparing Assistant