

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

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

Date : 16.12.2024

Heard learned counsel for the parties.

The learned counsel for the respondent submits that he would like to file counter affidavit. Accordingly, the learned counsel for the State respondent is allowed to file its counter affidavit as per the provision of Clause-7 of the Assam Victim's Compensation Scheme, 2012.

This writ petition has challenged on the ground that this Scheme those beyond provisions of Section 357A of the CrPC(4) as there is no limitation prescribed under the said Section.

Since the challenges have made under Clause-7 of the Scheme, let the Government respondent file necessary affidavits. The ASLSA has also filed its affidavit in the matter.

List again on 05.02.2025.

JUDGE

Comparing Assistant