

Item No.8
31.07.2024
Court. No. 9
GB

W.P.A. 2832 of 2024

Suniti Karmakar
Vs.
The State of West Bengal & Ors.

*Mr. Neil Basu,
Mr. D. Banerji,
Ms. Utsa Poddar,
Mr. Abhrajit Roy Chowdhury*

...for the Petitioner.

Ms. Soma Chowdhury (Bandhu)

...for the Respondent Nos.6 & 7.

1. The petitioner is aggrieved because the State Legal Services Authority did not enhance the amount of victim compensation. The Criminal Injuries Compensation Board awarded Rs.7,00,000/- towards victim compensation. The petitioner preferred a first appeal. The appeal was disposed of by an order of the Member Secretary, State Legal Services Authority, West Bengal on January 10, 2022. The petitioner preferred a representation, which was also disposed of.
2. This Court does not find any illegality in the order of the first appellate authority. The first appellate authority held that the petitioner was not in a position to produce material evidence which would indicate that more than Rs.7,00,000/- had been spent towards her treatment and rehabilitation. In the absence of any evidence or materials indicating that the assessment of the Criminal Injuries Compensation Board was either improper or insufficient, the first appellate authority rejected the prayer of the petitioner. Even after the

representation was made, the authority arrived at a similar conclusion.

3. Thus, no orders can be passed in this writ petition.
4. However, if the petitioner has any cogent evidence to show that the amounts spent by her during her treatment at the time of her attack and also thereafter, and for her rehabilitation to the main stream of life was more than Rs.7,00,000/-, a representation can be made before the Member Secretary, State Legal Services Authority, West Bengal and the authority shall once again revisit the matter upon perusal of the documents and evidence, that shall be produced by the petitioner.
5. Needless to mention, the petitioner's learned advocate shall be given a hearing before such disposal.
6. Accordingly, writ petition is disposed of.
7. Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)