

19.03.2024
Item No.24
gd/ssd

MAT/1743/2023
IA NO: CAN/1/2023, CAN/2/2023
STATE LEGAL SERVICES AUTHORITY
VS
BALABINDER KAUR AND ORS.

Mr. Jayanta Narayan Chatterjee,
Ms. Maumita Pandit,
Mr. S. Naskar,
Ms. Jayashree Patra,
Ms. Ritushree Banerjee
..for the Appellant.

Mr. Manjit Singh
..for the Respondents.

1. The question raised in this appeal by the State Legal Services Authority, West Bengal is with regard to the computation of compensation payable to the prisoners who are faced unnatural death.

2. It is not in dispute that there is a scheme which has been formulated for such purpose called the West Bengal Correctional Services Prisoners (Unnatural Death Compensation) Scheme, 2019.

3. The scheme provides for the minimum limit of compensation which is payable upon satisfaction of the contingencies provided in the scheme.

4. Though such a scheme was in force, it appears that the same has not been placed before the learned Single Bench when the writ petition was disposed of.

5. Therefore, the compensation if at all has to be made it has to be done in terms of the scheme.

6. Therefore, we dispose of this appeal with liberty to the appellant/State Legal Services Authority, West Bengal to file a review application before the learned Single Bench and if such review application is filed, the learned Single Bench may consider the same in accordance with law.

7. The review application shall be filed within 30 days from date.

8. The original certified copy of the judgment be returned to the learned advocate for the appellant after retaining a Photostat copy of the same.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)