

05
15.09.2025
AGM

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 15009 of 2025

**Dipa Barma
-versus
The State of West Bengal & Ors.**

**Ms. Debjani Sengupta.
Ms. Shabina Haque.
Ms. Koyel Bag.
Mr. Abhijit Chatterjee.
...For the Petitioner.**

**Mr. Sk. Md. Galib.
Mr. Manish Biswas.
... For the State.**

**Mr. Mit Guha Roy.
... For SLSA.**

1. Supplementary affidavit and affidavit-of-service filed by the petitioner in Court today is taken on record.

2. The order of the learned Judge, Special (POCSO) Court, Howrah dated 8th September, 2025 in Spl. T R Case No. 37 of 2023 filed in Court is also taken on record.

3. It appears that the interim compensation of rupees one lakh has been enhanced by a further amount of rupees two lakh. The enhanced amount has been directed to be paid within sixty days.

4. Learned advocate representing the petitioner submits that the survivor of the offence is in urgent need of medical care, nutrition and expenses for her education. The direction of the Member Secretary, SLSA

dated 19th May, 2024 directing deposition of 75% of the awarded compensation with the Bank in Monthly Income Scheme for a period of ten years has been challenged.

5. It has been submitted that it will not be possible for the petitioner to meet up the expenses required for the above purpose from the 25% of the amount sanctioned.

6. It appears that though there is no specific legal provision for keeping aside 75% of the awarded compensation amount but the same has been directed by SLSA keeping in view the best interest of the survivor minor child.

7. When the direction was passed, the sanction under the victim compensation only rupees one lakh. Currently the sanction is for 1+2=3 lakh rupees.

8. The petitioner shall be permitted to withdraw 25% of the total three lakh, that is, Rs. 75,000/- and the balance amount shall be invested in an interest bearing fixed deposit. Interest accrued in the said fixed deposit account will be credited on monthly basis directly in the bank account of the petitioner. The said amount shall be utilised by the petitioner for the well being and benefit of the minor girl.

9. The amount shall be kept in the fixed deposit account till the minor girl attains majority.

10. It will be open for the petitioner to seek further enhancement of compensation, as and when required, before the learned Trial Court.

11. SLSA is directed to transmit the enhanced amount of compensation in favour of the petitioner at the earliest.

12. The petitioner shall maintain proper accounts of the expenditure made from the amount received on account of compensation for necessary use in future.

13. The petitioner petition stands disposed of.

14. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)