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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 4222 of 2026

Rinku Kumar Sidar S/o Late Kholbahara @ Kholbadra Sidar Aged About 32 Years R/o Village Khapridih, Tahsil Bamhanidih, District Janjgir-Champa Chhattisgarh

... Petitioner

versus

- 1** - State Of Chhattisgarh Through Secretary Department Of Management And Disaster, Mahanadi Bhawan, Atal Nagar, Naya Raipur, District Raipur Chhattisgarh
- 2** - Collector Janjgir-Champa District Janjgir-Champa Chhattisgarh
- 3** - Assistant Commissioner Tribal Development Department, Janjgir District Janjgir-Champa Chhattisgarh
- 4** - Sub Superintendent Of Police Ajak Janjgir-Champa Chhattisgarh

... Respondents

(Cause-title taken from Case Information System)

For Petitioner	:	Mr. Chandrasen Chouhan, Advocate
For State/Respondents	:	Mr. Rajkumar Gupta, Additional Advocate General

Hon'ble Shri Amitendra Kishore Prasad, Judge
Order on Board

14.08.2026

- 1** By filing the present writ petition, the petitioner calls in question the inaction on the part of the respondent authorities in not granting compensation of Rs.8,25,000/- under the provisions of

the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the Rules/Guidelines framed thereunder, despite the alleged murder of the father of the petitioner, namely, Kholbahara @ Kholbadra Sidar, and registration of FIR No.11/2024 dated 21.01.2024 at Police Station Bamhanidih, District Janjgir-Champa, for the offence punishable under Sections 302 and 34 of the Indian Penal Code against the accused persons, and seeks a direction to the respondent authorities to release the admissible compensation in accordance with law. The petitioner has prayed for following relief(s):-

“(I) That, this Hon'ble Court may kindly be pleased to direct the respondent authorities consider the representation and to pay compensation amount of Rs. 8,25,000/- on account of death of the deceased as per circular of the Government, within stipulated time, in the interest of justice.

(ii) Any other relief which may be suitable in the facts and circumstances of the case, may also be granted, in the interest of justice.”

- 2 Learned counsel for the petitioner submits that the father of the petitioner, namely, Kholbahara @ Kholbadra Sidar, was allegedly murdered by the accused persons, namely, Raja Yadav @ Rajvir, Rakesh Kumar Rohidas and Karan Suryavanshi, pursuant to which FIR No.11/2024 dated 21.01.2024 was registered at Police Station Bamhanidih, District Janjgir-Champa for the offence

punishable under Sections 302 and 34 of the Indian Penal Code and, after completion of investigation, charge-sheet has also been filed before the competent Court. He would further submit that the petitioner belongs to the Scheduled Caste community and, in terms of Clause 45 of the Schedule appended to the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the Rules/Guidelines issued thereunder, the petitioner is entitled to compensation of Rs.8,25,000/- on account of the death of his father. It is submitted that despite the petitioner having submitted representations before the Collector, Janjgir-Champa and the other competent authorities, and despite respondent No.3 having called for an enquiry report from Police Station Bamhanidih vide communication dated 21.01.2025, no decision has been taken on the claim of the petitioner for grant of compensation till date. He would further submit that the Assistant Commissioner, Tribal Development, Janjgir-Champa has also addressed a communication to the concerned police authority in regard to payment of compensation in terms of the amended Rules, 2016. He, therefore, prays for a limited direction to the respondent authorities to consider and decide the pending representation of the petitioner for grant of compensation in accordance with law.

- 3** Learned counsel appearing for the respondents submits that, in view of the limited prayer made by learned counsel for the petitioner seeking consideration of the pending representation, the

respondents have no objection if the same is directed to be considered and decided in accordance with law.

- 4 I have heard learned counsel for the parties and perused the material available on record.
- 5 Considering the facts and circumstances of the case and particularly the limited prayer made by learned counsel for the petitioner, without expressing any opinion on the merits or entitlement of the petitioner to receive the compensation claimed, it would be appropriate to dispose of the present writ petition with a direction to the competent respondent authority to consider and decide the pending representation(s) of the petitioner seeking grant of compensation under the provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the Rules/Guidelines framed thereunder, particularly in the light of the alleged death of his father, Kholbahara @ Kholbadra Sidar, and the material placed on record by the petitioner, strictly in accordance with law.
- 6 The aforesaid exercise shall be undertaken expeditiously, preferably within a period of 120 days from the date of receipt of a certified copy of this order. Needless to observe, the competent authority shall pass a reasoned and speaking order after examining the petitioner's claim and the relevant statutory provisions, Rules and Government Guidelines applicable to the case.

- 7** It is made clear that this Court has not expressed any opinion on the merits of the case.
- 8** With the aforesaid direction, the instant writ petition stands disposed of.
- 9** There shall be no order as to costs.

Sd/-
(Amitendra Kishore Prasad)
Judge

Yogesh