

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 308 of 2021**

- Smt. Giteshwari Sahu W/o Late Shri Lekhram Sahu Aged About 26 Years
R/o Village Pauni, Tahsil And P. S. Pandariya, District Kabirdham
Chhattisgarh **---- Petitioner**

Versus

1. State Of Chhattisgarh Through Collector, Kawardha, District Kabirdham Chhattisgarh
2. Sub Divisional Officer Pandariya, District Kabirdham Chhattisgarh
3. Tahsildar Tahsil Pandariya, District Kabirdham Chhattisgarh

---- Respondents

For Petitioner	:	Mr. C.K. Sahu, Advocate
For State	:	Ms. Shriya Mishra, P.L.

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****28.01.2021**

1. Heard
2. The present writ petition has been filed by the widow of late Shri Lekhram Sahu who died on 06.07.2019.
3. Learned counsel for the petitioner submits that the husband of the petitioner climbed on a tree to tie up a loud speaker and during such incident, all of a sudden because of the heavy storm, the petitioner fell down from the tree. Therefore the death was resulted because of the natural calamity and had there been no storm the husband of the petitioner would have survived. He further submits that as per the circular of the State; when such death occurs because of the natural calamity then the

amount of compensation to the extent of Rs. 4 Lakhs is to be paid to the deceased's family. He would further submit that the petitioner has also filed an application before the SDO Tahsil Pandariya District Kabirdham and the Collector Kabirdham claiming the amount under the policy of the State but the same is still not being considered and remains undecided due to which the petitioner's widow and two children aged about 3 years & 7 years are suffering.

4. Considering the nature of the writ petition and the fact that the petitioner has already claimed for the amount for unnatural death of her husband due to natural calamity, therefore as per the policy of the State if the petitioner is entitled for the same, then the same is required to be considered sympathetically considering the fact that the petitioner is a widow and having two minor children. The petitioner is therefore given the liberty to file a fresh application before the Collector Kabirdham within a period of 4 weeks and if such application is filed, then the Collector Kabirdham shall decide the application of the petitioner and take the decision sympathetically so as to provide the compensation to the petitioner according to the policy of the State as early as possible.
5. With such observation/ direction, the writ petition stands disposed off.

sd/-
(Goutam Bhaduri)
Judge