

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 8025/2019

(SUNANDA GULAB DIGHORE **VERSUS** THE STATE OF MAHARASHTRA & OTHERS)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Shri D.R. Rupnarayan, counsel for the petitioner.

Ms Trupti Udeshi, Assistant Government Pleader for the respondents.

CORAM : A. S. CHANDURKAR AND URMILA JOSHI-PHALKE, JJ.

DATE : JULY 11, 2022.

The son of the petitioner suffered an accidental death while riding his motorcycle. According to the petitioner, the death was caused on account of an attack of a wild boar while her son was driving the motorcycle. On the other hand as per the report submitted by the Divisional Forest Officer on 18.04.2019 the accident occurred because of a wild animal crossing the road at the same time when the petitioner's son was passing on motorcycle. The petitioner seeks to rely on the Government Resolution dated 28.11.2018 to claim compensation on account of such death. Perusal of that Government Resolution indicates that if death has occurred on account of an attack of a wild animal named therein, compensation is payable.

We find in this backdrop that there is a dispute with regard to the cause of death of the petitioner's son. Whether such death was caused on account of an attack of a wild animal is not clear and there is a dispute in that regard. Such dispute cannot be resolved in writ jurisdiction. Hence, with liberty to the petitioner to approach the Civil Court to seek appropriate relief, the writ petition is not entertained. It is accordingly disposed of. All questions raised on merits are kept open.

(URMILA JOSHI-PHALKE, J.)

(A. S. CHANDURKAR, J.)

APTE

Signed By: Digitally signed
by ROHIT DATTATRAYA
APTE
Signing Date: 12.07.2022 14:55