

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 12586 of 2024

Sefali Sardar
Vs.
State of West Bengal & Ors.

Mr. Kaushik Gupta,
Ms. Srimoyee Mukherjee
...for the petitioner

Mr. Pantu Deb Roy,
Mr. Pannalal Bandopadhyay
...for the State

1. Affidavit-of-service filed in Court today be kept on record.
2. Learned counsel appearing for the petitioner points out from the Post Mortem Report of the petitioner's husband, annexed at page 27 of the writ petition, that in terms of the information furnished by police the male subject, that is, the husband of the petitioner, "was removed to Joynagar Kultali Rural Hospital where on-duty doctor declared him as brought dead on November 12, 2022 at 10.00 A.M. with h/o attack by tiger on same date at 6.00 A.M.".
3. However, the petitioner's request for compensation has not been dealt with by the respondent-authorities.

4. Learned counsel for the respondent-authorities places reliance on the remarks by a civil surgeon, which finds place in the same post mortem report, which says that the death was due to the effects of head injuries as noted thereinabove – ante mortem in nature.

5. A composite reading of the post mortem report clearly shows that from the nature of the injuries as described in the report as well as the information furnished by the police, who had recovered the body, it is evident that the petitioner's husband was the victim of a tiger attack, which led to his unfortunate death. The tiger attack occurred as per the police at 6.00 A.M. on November 12, 2022 and only four hours thereafter, the demise occurred due to resultant head injuries.

6. Hence, there is sufficient material in the post mortem report itself to connect the death directly to the tiger attack.

7. In such view of the matter, it was the incumbent duty of the respondent-authorities to disburse due compensation to the petitioner.

8. Accordingly, W.P.A. No. 12586 of 2024 is allowed on contest, thereby directing the respondent no. 2, that is, the Principal Chief Conservator of Forest (Head of Forest Force),

Government of West Bengal, to disburse due compensation to the petitioner as payable under the concerned State Scheme to the next-of-kin of tiger attack victims at the earliest, positively within four weeks from date, by acting on the server copy of this order.

9. There will be no order as to costs.

10. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)