

August 29, 2024
Sl. No.A 68
Court No.9
s.biswas

WPA 16618 of 2024

Padma Nath
vs.
The State of West Bengal and others

Mr. Debasis Sur
Mr. Hare Krishna Halder
Mr. Dilip Kr. Das

... for the petitioner

Mr. Biswabrata Basu Mallick, Id. AGP
Mr. Sayan Ganguly

... for the State

1. The relief sought for in this writ petition cannot be granted by a writ court under Article 226 of the Constitution of India.
2. The first prayer in the writ petition is for a direction to pay compensation to the petitioner on account of the death of her husband who allegedly succumbed to injuries from an accident. The next prayer is for an investigation as to the case of the death. The third prayer is for release of compensation under the Motor Vehicles Act.
3. The law prescribes a particular procedure for such claims to be lodged before the appropriate court. The petitioner could have proceeded accordingly. With regard to direction for investigation, this court finds that the investigation was complete and charge-sheet has been submitted. Thus, the investigation has concluded. The writ court is not the appropriate

forum which can grant compensation in a motor accident claims case.

4. Accordingly, the writ petition is disposed of.
5. There shall be no order as to costs.
6. All the parties will act on the basis of the server copy of the order.

(Shampa Sarkar, J.)