

10.02.2025  
Item No.34  
gd/ssd

MAT/1772/2024  
PADMA NATH  
VS  
STATE OF WEST BENGAL AND ORS.  
IA NO: CAN/1/2024

Mr. Debasis Sur,  
Mr. Himadri Shekhar Paul,  
Mr. Harekrishna Haldar,  
..for the Appellant.

Mr. Biswabrata Basu Mallick.  
Mr. Sayan Ganguly  
..for the State.

1. This intra court appeal is directed against the order dated 29<sup>th</sup> August, 2024 in WPA 16618 of 2024.

2. In the said writ petition the appellant prayed for payment of compensation to her on account of the death of her husband alleging that the death occurred due to accident and there was also a prayer to cause investigation as to the cause of the death and the third prayer was to release the compensation under the provision of the Motor Vehicles Act.

3. The learned Single Bench rightly dismissed the writ petition as the writ court is not the appropriate forum which can grant the compensation in motor vehicles cases nor the writ court would be entitled to cause roving enquiry as regards cause of the death of the appellant's husband as the remedy lies elsewhere and not by way of a writ petition.

4. Apart from that, we find that the appeal is also time barred and there is no application for Condonation of delay.

5. For the above reasons, the appeal stands dismissed.

**(T. S. SIVAGNANAM)**  
**CHIEF JUSTICE**

**(HIRANMAY BHATTACHARYYA, J.)**