



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
WRIT PETITION NO.203/2025

(Smt. Vishakha Wd/o Prakash Meshram Vs. The State of Maharashtra and others)

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

Court's or Judge's orders

Mrs. S.P. Giratkar, Advocate for the petitioner.

Mr. I.J. Damle, A.G.P. for respondent Nos.1 to 5.

CORAM: NITIN W. SAMBRE & MRS.VRUSHALI V. JOSHI, JJ.

DATED: 16.4.2025.

Heard.

2. The deceased husband of the petitioner while discharging his official duty in the capacity of Police Constable lost his life in Crime No.72/2019 registered by Warora Police Station, District Chandrapur for the offence punishable under Sections 302, 307, 353, 332 and 333 read with Section 34 of the Indian Penal Code, Section 5A(1) of the Maharashtra Animal Protection Act, 1976 (Amended Act of 2015), Section 11 of the Prevention of Cruelty to Animals Act, 1960, Sections 184, 83/177 of the Motor Vehicles Act and Sections 47, 48, 49(A), 50 and 54 of the Animal Transport Rules.

3. Based on the similar incident, the respondent-State Government has issued an order dated 11.12.2018 thereby extending all the benefits of the Government Resolution dated 29.11.2008 in favour of the family members of deceased Chhatrapati Kisan Chide. Based on the order dated 11.12.2018, the benefits which are extended in favour of the similarly placed person like petitioner, the petitioner has preferred this writ petition seeking similar relief.

4. On 13.1.2025 this Court ordered notice and same was waived by the learned Assistant Government Pleader on behalf of respondent Nos.1 to 5.

5. Thereafter, time and gain matter was adjourned and on 2.4.2025 last chance was granted to the respondents file an affidavit. The fact remains that till this date the affidavit-in-reply is not placed on record by the respondents.

6. Learned Assistant Government Pleader Mr. Damle has placed on record a copy of the communication issued by the State Government dated 3.4.2025 wherein the State has sanctioned an amount of Rs.7,50,000/- as compensation, however, other benefits given to similarly placed person as reflected in above referred order of the State Government are not released. The petitioner, in our opinion, is entitle for benefits under the Government Resolution dated 29.11.2008.

7. As inspite of last chance the affidavit-in-reply is not placed on record, we saddle costs of Rs.5,000/- (Rs. Five Thousand) on the respondents. Let the amount of costs be paid to the petitioner within a period of one week from today and the respondent No.5 shall ensure the production of receipt thereof on record of this Court. In case by next date, the respondents fail to submit their stand based on their own order dated 11.12.2018 and also that of the Government Resolution dated 29.11.2008, this Court will be constrained to pass an appropriate order in the matter.

8. Stand over to 2.5.2025.

(MRS.VRUSHALI V.JOSHI, J.)

(NITIN W. SAMBRE, J.)