

09.02.2026
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WPA 1346 of 2025

Mahima Molla
Vs.
The State of West Bengal & Ors.

Ms. Srimoyee Mukherjee
..... for the petitioner

Mr. Rajarshi Basu
Mr. Ananda Dulal Sarkar
..... for the State

1. Learned Advocate for the petitioner argues that the petitioner is the widow of a deceased person, who is resident of the Sundarbans area, which is infested by tigers and other wild animals. It is contended that the petitioner's husband was killed by a tiger attack. It is submitted that as per the order of the Government of West Bengal, Department of Forests, compensation is payable to the family of a deceased in such cases, subject to certification regarding cause of death from appropriate authority.
2. The petitioner applied for compensation claiming her husband was the victim of a tiger attack.

3. Based on the enquiry conducted and enquiry report furnished by the B.O., Dobanki dated July 20, 2024, it was found that there was no trace that a tiger attack had taken place and that no such incident had occurred within the jurisdiction of the Sundarban Tiger Reserve. The enquiry report concluded that the petitioner's husband had entered the reserve forest without a permit, an illegal act.

4. There is internal communication between forest officers suggesting no such incident had occurred.

5. Accordingly, I directed the Officer-In-Charge of the Kultali Police Station to file a report on the incident. A report is filed and is taken on board. From the report it appears that the petitioner's husband had indeed gone into a restricted area and was likely a victim of tiger attack. The report specifically states that the enquiring officer met with forces of the forest department which includes a team of police officials, forest officials and fishermen, and visited the exact location from where the petitioner's husband was alleged to have been attacked by the tiger. The report also specifies that the area is within the tiger reserve and any person in this area subjected to a tiger attack has "no chance of survival due to the free movement of

tigers, it is also not possible to recover the body of any missing person in case he is a victim within the tiger reserve.”

6. Whether the petitioner’s husband had gone to a restricted area or had gone without a requisite permit is unclear from the petition and is left to be decided by Respondent No. 2.

7. A perusal of the order dated February 26, 2021 issued by the Government of West Bengal, Department of Forests, indicates that the revised payment of compensation as reflected therein pertains to the loss of life and property due to depredation by wild animals.

8. As per the said order, *ex-gratia* grant was sanctioned to be given to the victims or the legal heirs of the victims of depredation caused by wild animals as per the scales given therein.

9. The principal hurdle is not that the petitioner’s husband has expired, rather the manner and mode by which he has expired.

10. As will appear from a copy of the report filed by the respondent no. 4, it is clear that the petitioner’s husband had gone into the core area of the forest which is infested with tigers and he was a victim of the tiger attack with no chance of survival.

11. This completely breaks the hurdle created in the communication of July 29, 2024, from the Forest Range Officer, Sundarban Tiger Reservation, to the Deputy Field Director, Sundarban Tiger Reservation, Canning Town, 24 Parganas (South). In such communication the author of this letter could not find any trace of any incident of tiger attack on human being.

12. From the report of the respondent no. 4, it appear that this issue has been well and sufficiently addressed that the petitioner's husband was indeed the victim of a tiger attack.

13. In view of the aforesaid, I direct the respondent no. 2 to consider the writ petition as a representation and afford an opportunity of hearing to the petitioner with adequate prior notice by March 15, 2026, and decide as to whether the petitioner is entitled to any compensation.

14. The petitioner will be at liberty to disclose any further documents in support of her case.

15. Upon such hearing being given, the respondent no. 2 will consider and dispose of the representation by March 30, 2026 and intimate the same to the petitioner accordingly.

16. If the consideration is in favour of the petitioner, respondent no. 2 will take all

consequential steps to ensure that the compensation is released in favour of the petitioner by April 15, 2026.

17. With the aforestated directions, the writ petition is disposed of.

18. There shall, however, be no order as to costs.

19. Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Reetobroto Kumar Mitra, J.)