

S/L 14
03.02.2026
Court. No. 25
sourav

WPA 28184 of 2025

Tulsi Mandal

Vs.

The State of West Bengal & Ors.

Mr. Subhendu Banerjee
Mr. Atindriya Chakrabarty
Ms. Aratrika Paul

...for the petitioner.

Ms. Sonal Sinha
Mr. Gaurav Das

...for the State.

1. The petitioner has filed the present writ application praying for a direction upon the respondent authorities for grant of *ex gratia* payment of Rs. 5 lakhs to the petitioner in terms of the order issued by the Government of India, Department of Forest dated February 26, 2021 as the husband of the petitioner is the victim of tiger attack on December 24, 2019 at about 10.00 a.m. at Panchamukhani – 2 Block Khal under STR.
2. Learned counsel for the petitioner submits that the husband of the petitioner while catching crab in the Sundarban Forest on December 24, 2019 was attacked by tiger. After the incident, the matter was reported to the concerned police station and accordingly, the S.I. of Police, SDB Coastal P.S., South 24 Parganas has issued the certificate certifying that the body of the victim could not be traced out and the husband of the petitioner is the victim of tiger attack. Due to which, no post mortem examination could be done.
3. The petitioner submits that after the incident, petitioner has made several representations for grant of *ex gratia*

payment but no *ex gratia* payment has been granted to the petitioner. The petitioner has relied upon several judgments passed by the co-ordinate Bench of this Court and submits that this Court has granted *ex gratia* payment to all the victims who are the victims of wildlife attack but the case of the petitioner has not been considered.

4. Per contra, learned counsel appearing of the State submits that the petitioner has filed the present application praying for *ex gratia* payment on the ground that the husband of the petitioner is the victim of tiger attack but the petitioner has not filed any post mortem report and the judgment which the petitioner has relied upon has been passed by the co-ordinate Bench of this Court on the basis of the post mortem report. He further submits that unless and until the post mortem report is not disclosed, it is not possible for the authority to consider the cause of death of the husband of the petitioner.
5. Heard the learned counsel for the respective parties.
6. The only dispute raised by the State authority that the petitioner has not disclosed the post mortem report. The petitioner has relied upon the certificate issued by the Officer-in-Charge, Sundarban Coastal P.S. Baruipur Police District which reads as follows:

“To whom it may concern

Regarding Police Report against death incident of Prafulla Mondal (59) S/O Lt. Sarat Mondal husband of Tulshi Mondal of Lahiripur, Sundarband Coastal PS, South 24 Parganas, and

Sundarban Coastal PS GDE No 796/19, dated 26.12.19.

This is to certify that on 26.12.19 one Karuna Sindhu Mondal of Lahiripur, PS- Sundarban Coastal PS, South 24 Parganas came at PS & reported that on 23.12.19 the complainant and 2 (two) others fisher man left for Panchamukhani 02 No block khal under Sajnekhali wild life Sanctuary Range under STR for catching crabs and fishes with prior permission of Forest authority (Ref BLC No. 48221/483, dt. 04.07.19, SJ/F-51 of 19-20). During catching crabs, on 24.12.19 at about 10.00 AM when they stay at beside of Panchamukhani 02 No block khal under STR one tiger suddenly attacked one Prafulla Mondal (59) S/O Lt. Sarat Mondal then The tiger dragged away the victim Prafulla Mondal into the Forest. This refers SDB Coastal P.S. GDE No. 796/19, dated 26.12.19.

The Range Officer, SWLS Range, STR was contacted and it was learnt that Late Prafulla Mondal (59) S/O Lt. Sarat Mondal husband of Tulshi Mondal of Lahiripur Sundarban Coastal PS, South 24 Parganas had taken away by a tiger while catching crabs beside of Panchamukhani 02 No block khal under STR. Attempts were made by forest department to trace out the tiger victim but no result. As such PM examination could not be done.”

7. From the said certificate, it is categorically reveals that the husband of the petitioner is the victim of tiger attack and in the certificate it is also mentioned that the Forest Department could not trace out the body of the husband of the petitioner and as such, the post mortem could not be conducted.

8. This Court finds that it is admitted by the authority that the husband of the petitioner is the victim of tiger attack and the body could not be traced out and the post mortem could not be done. The order issued by the Government of West Bengal, Department of Forest states that *ex gratia* will be given to the victims or legal heirs of the victims of depredation caused by wild animals. As per the said category, the petitioner has lost his husband due to tiger attack and as per the said order, the petitioner is entitled to get Rs. 5 lakhs. But the case of the petitioner has not been considered by the authority.
9. Considering the above, the respondent no. 3 is directed to consider the representations submitted by the petitioner for grant of compensation in terms of the order dated February 26, 2021 for grant of *ex gratia* payment to the petitioner on proper verification and identification by the State authority and after giving an opportunity of hearing to the petitioner within six weeks from the date of receipt of this order.
10. **WPA 28184 of 2025** is disposed of.
11. On verification, if it is found that the claim of the petitioner is genuine, the authority shall release the payment within a period of two weeks thereafter.
12. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Krishna Rao, J.)