CGHC010285972022 2026:CGHC:46679

RUCHI YADAV Digitally signed by RUCHI YADAV

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 4073 of 2022

1 - Smt Anila Bai Rathiya W/o Late Shri Ramsingh Rathiya Aged About 46 Years Caste - Kanwar, R/o Village - Krindha, Tahsil - Dharamjaigarh, District : Raigarh, Chhattisgarh

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through The Secretary, Revenue And Disaster Management Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur, District : Raipur, Chhattisgarh

2 - The Incharge Officer/ Collector Raigarh, District : Raigarh, Chhattisgarh

3 - The Sub-Divisional Officer (Revenue) Dharamjaigarh, District : Raigarh, Chhattisgarh

4 - The Additional Tahsildar Kapoo, District : Raigarh, Chhattisgarh

... Respondent(s)

(Cause title taken from CIS Periphery)

For Petitioner(s)	:	Mr. Ajeet Kumar Yadav, Advocate
For State/Respondent	:	Mr. Abhyuday Tripathi, P.L.

SB: Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

04/11/2026

1. By way of this petition, the petitioner has prayed for following reliefs:-

> “10.1 That, this Hon'ble Court may kindly be pleased to call the records pertaining to the case from the respondent authorities.
>
> 10.2 That, this Hon'ble Court may kindly be pleased to issue an appropriate writ, thereby setting-side/quashing the impugned order dated 01.12.2021 and further be pleased to direct the respondent authorities to pay death compensation to the petitioner as per circular of State Government.
>
> 10.3 To kindly grant any other relief which may be deem fit in the given facts and circumstances of the instant case.”

2. Learned counsel for the petitioner submits that the petitioner has not been granted compensation on account of the death of her husband, who allegedly died due to drowning. He submits that the deceased died while carrying out agricultural operations in the field and, therefore, the petitioner is entitled to compensation on account of death due to drowning under Part 6, Clause (4), Paragraph 5(1) of the Revenue Book Circular. However, the concerned Sub-Divisional Officer (Revenue) has rejected the petitioner's application on the ground that the deceased died a natural death and, accordingly, refused to grant compensation, which is contrary to law. He further submits that although the deceased was suffering from epilepsy, the actual cause of his death was drowning and, therefore, the petitioner is entitled to compensation under the aforesaid provisions of the Revenue Book Circular.

3. Learned State counsel, on the other hand, submits that an enquiry was conducted and, on the basis of the post-mortem report and the enquiry conducted, it was found that the deceased died due to epilepsy and not due to drowning. A diatom test was also conducted. Therefore, the

concerned Sub-Divisional Officer (Revenue) has rightly rejected the petitioner's claim, and the impugned order does not warrant any interference by this Court.

4. Having heard learned counsel for the parties and upon perusal of the material available on record, this Court finds that the post-mortem report does not indicate that the deceased died due to drowning. Further, no diatom test report is available on record to establish death by drowning. On the contrary, a perusal of the post-mortem report indicates that the deceased died due to epilepsy. In view of the aforesaid circumstances, the petitioner is not entitled to compensation under the relevant provisions of the Revenue Book Circular.

5. In view of the foregoing discussion and the findings recorded hereinabove, this Court does not find any illegality, infirmity or perversity in the impugned order passed by the concerned Sub-Divisional Officer (Revenue), warranting interference by this Court in exercise of its writ jurisdiction.

6. Accordingly, the petition, being devoid of merit, is hereby **dismissed.**

Sd/-

(Amitendra Kishore Prasad)
Judge

Ruchi