



CGHC010101632021



2026:CGHC:28154

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 1994 of 2021**

1 - Amar Singh S/o Late Shree Shyamuram Mandavi Aged About 26 Years
R/o Village Pendakodo Tehsil Mohla District Rajnandgaon Chhattisgarh., Dis-
trict : Rajnandgaon, Chhattisgarh

... Petitioner(s)**versus**

1 - The State Of Chhattisgarh Through Secretary Revenue And Disaster De-
partment Mantralay, Atal Nagar District Raipur Chhattisgarh., District : Raipur,
Chhattisgarh

2 - The Collector District Rajnandgaon Chhattisgarh., District : Rajnandgaon,
Chhattisgarh

3 - The Sub Divisional Officer (Revenue) Mohla, District Rajnandgaon Chhat-
tisgarh., District : Rajnandgaon, Chhattisgarh

4 - Tehsildar Tehsil Mohla, District Rajnandgaon Chhattisgarh., District : Raj-
nandgaon, Chhattisgarh

--- Respondent(s)

For Petitioner : Mr. Parag Kotecha, Advocate

For Respondent/State : Mr. H.A.P.S. Bhatia, P.L.

Hon'ble Shri Sanjay K. Agrawal, Judge
Order on Board

08.07.2026

1. By way of the present writ petition filed under Article 226 of the Constitution of India, the petitioner has challenged the order dated 01.02.2021 passed by the Additional Collector, Rajnandgaon, whereby the application preferred by the petitioner, being the son of the deceased Shri Shaymaram Mandavi, seeking compensation of Rs. 4,00,000/- on account of the death of his father, has been rejected.

2. Facts of the case are that the petitioner is the son of Late Shri Shyamuram Mandavi. On 16.07.2020, his father, aged about 56 years, was extracting lacquer from a tree when a severe thunderstorm accompanied by heavy rain and strong winds occurred, causing him to fall from the tree. He sustained grievous injuries and succumbed to the same. Upon receipt of information regarding the incident, the police registered a mereg intimation, conducted the necessary inquiry, recorded the statements of witnesses, and got the post-mortem examination of the deceased conducted. Thereafter, the petitioner submitted an application before the competent revenue authorities seeking compensation of Rs. 4,00,000/- under the State Government's policy relating to death caused by natural calamities. The petitioner's application for grant of compensation was registered before the Naib Tehsildar. During the course of the proceedings, the Naib Tehsildar called for the requisite reports and records, including the report of the Halka Patwari, FIR, mereg intimation, post-mortem report, and other relevant documents from the concerned authorities. Upon consideration of the material placed on record, the Naib Tehsildar submitted his report and forwarded the matter to the Sub-Divisional Officer (Revenue) for appropriate orders and grant compensation. The Sub-Divisional Officer, however, remanded the matter to the Tehsildar for fresh consideration. The Additional Collector, by order dated 01.02.2021, rejected the petitioner's claim on the ground that the death of the petitioner's father, having occurred due to a fall from a tree during a thunderstorm, was not covered under Paragraph 5 of Clause 6(4) of the Revenue Book Circular dated 09.06.2015. Consequent thereto, the Tehsildar also rejected the petitioner's application. Hence this petition.

3. Learned counsel for the petitioner would submit that the petitioner's father died after falling from a tree due to a sudden thunderstorm accompanied by heavy rain and strong winds, and the said fact is duly established by the merger intimation, post-mortem report, police records, and statements of eyewitnesses. It is further submitted that the respondent authorities have erroneously rejected the petitioner's claim by adopting a narrow interpretation of the Revenue Book Circular dated 09.06.2015, despite the fact that the death was a direct consequence of a natural calamity and squarely falls within the ambit of the State Government's compensation policy. It is, therefore, prayed that the impugned order be set aside and the respondents be directed to grant and disburse compensation of Rs. 4,00,000/- to the petitioner in accordance with the applicable Government policy.
4. Learned State counsel, on the other hand, supports the impugned order and submits that the petitioner's claim has been rightly rejected. It is contended that the death of the petitioner's father, having occurred due to a fall from a tree, is not covered under the said Circular, and therefore, the petitioner is not entitled to grant of compensation under the applicable Government policy.
5. I have heard learned counsel for the parties and perused the record, including the Revenue Book Circular dated 09.06.2015.
6. Clause-6 of the Revenue Book Circular is reproduced hereinunder:-

"आंधी, तूफान, अतिवृष्टि, बाढ़ की स्थिति के दौरान पेड़/डंगाल के गिरने अथवा विद्युत प्रवाह/तार से मृत्यु होती है, तो दैवीय विपरित माना जायें।"
7. Admittedly, in the present case, the petitioner's father had climbed a tree for the purpose of collecting natural resources when a sudden thunderstorm accompanied by heavy rain and strong winds occurred, causing him to fall from the tree. As a result of the injuries sustained in the said fall, he succumbed to the injuries. In view of Clause 6 of the Revenue Book Circular dated 09.06.2015, such death, having occurred

during a thunderstorm, is required to be treated as one resulting from an act of God/natural calamity. Consequently, the petitioner is entitled to the benefit of compensation under the applicable Government policy. Accordingly, the impugned order dated 01.02.2021 is set aside. The respondents are directed to grant and disburse compensation of Rs.4,00,000/- to the petitioner within a period of 30 days from today.

8. Accordingly, the present writ petition is **allowed**.

Sd/-
(Sanjay K. Agrawal)
Judge