



2026:CGHC:19215



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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 3074 of 2021

Smt. Punit Bai W/o Late Shri Narendra Kumar Kunvar Aged About 38 Years R/o Village Dumardih, Tehsil Chhuriya, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

... Petitioner

versus

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

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

3 -Sub Divisional Officer (Revenue) Dongargaon, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

4 - Tehsildar Chhuriya, District Rajnandgaon., District : Rajnandgaon, Chhattisgarh

... Respondents

(Cause title, as taken from CIS)

For Petitioner : Mr. Parag Kotecha, Advocate.

For Respondents : Mrs. Akanksha Verma Dabhadker, Panel Lawyer

{Hon'ble Mr. Justice Naresh Kumar Chandravanshi}

Order on Board

25/04/2026

1. This writ petition under Article 226 of the Constitution of India has been preferred by the petitioner challenging the order dated 02.06.2020 passed by the Collector, Rajnandgaon (C.G.) in Revenue Case No. 46/ ₹ /121, year 2019-20



whereby an application for grant for *ex gratia* amount filed by the petitioner has been rejected.

2. Facts of the case, as projected by the petitioner, is that on 16.08.2019 at about 11 AM Narendra Kumar Kanwar, who is husband of petitioner, was sowing paddy in his agricultural field at Deepra Khar in village Dumardih with the help of bullock, when he suddenly felt dizzy and fell face down into the water, resulting in his death by drowning. Thereafter, the incident was reported to the police Station Chhuria, District Rajnandgaon and Marg No. 45 of 2019 was registered. Postmortem of the deceased was carried out. Subsequently, the petitioner filed an application before Collector, Rajnandgaon for grant of *ex gratia* amount. Report was called by concerned Collector from Tahsildar, Chhuria, thereafter, the application of the petitioner has been rejected vide impugned order dated 2.6.2020.

3. Learned counsel appearing for the petitioner would submit that the deceased (husband of the petitioner), who was a resident of a remote village, died after falling into a water body (खेत) while ploughing his field, but the Collector, Rajnandgaon has rejected the claim of the petitioner for grant of ex-gratia amount stating that as per the post-mortem report the cause of death of the deceased was not found to be drowning, hence this writ petition has been filed.

4. Learned counsel appearing for the petitioner would further submit that though as per postmortem report, the doctor could not opine about the cause of death of deceased because the viscera had been preserved and the subsequent viscera report revealed that no poisonous substance was present in the deceased's viscera, but later on doctor opined that cause of death of deceased was head injury. He further stated that while ploughing the



agricultural field, the deceased lost consciousness and fell face-down into the water, resulting in his death by drowning, however, without ascertaining this fact the Collector, Rajnandgaon summarily rejected the claim of the petitioner for grant of *ex gratia* amount on account of death of her husband / deceased. As such, he submits that this petition may be allowed by remitting the matter back to the Collector, Rajnandgaon to re-consider the case and pass appropriate order after examining the statement of Yuvraj Singh Judawan, who lodged merg report of merg No. 45 / 2019 of Police Station Chhuria and other persons namely Rohit Sahu, Milan Das and Bharat Ram Sahu, who had visited the scene of the incident upon receiving information thereof.

5. The State has not filed reply yet. However, the State Counsel submits that if the matter is remanded back to the Collector, Rajnandgaon, then appropriate order shall be passed after going through the “merg report” and all necessary documents.

6. I have heard learned counsel for the parties and perused the material available on record.

7. As per record, while ploughing the agricultural field, the deceased - Narendra Kumar Kanwar lost consciousness and fell face-down into the water, resulting in his death by drowning. Though this fact does not get support from postmortem report, but as per merg report, when witnesses namely Yuvraj Singh Judawan and other persons mentioned in the merg report had gone to scene of incident, then they found that the deceased was lying face down in the water of the agricultural field. It seems that while rejecting application filed by the petitioner for grant of *ex gratia* amount, the Collector, Rajnandgaon has not gone through the merg report and statement of those witnesses, which were recorded by the Police Station Chhuria during merg enquiry. Hence, in considered opinion of this Court, prayer made by counsel for the petitioner



appears to be allowed.

8. It is apt to be noted here that very object and purpose behind grant of ex-gratia amount is to provide immediate financial relief and humanitarian assistance to a person who has suffered loss on account of a natural calamity. Such compensation is not in the nature of a bounty or charity, but a welfare measure intended to mitigate the hardship caused by unforeseen and unavoidable disasters beyond human control. The State, being under an obligation to protect and support its citizens in times of distress, extends such ex-gratia assistance as a measure of social justice and administrative fairness. In cases where the petitioner has suffered irreparable loss due to the calamity, denial or undue delay in disbursement of the ex-gratia amount defeats the very purpose of the scheme, which is to ensure timely succour and rehabilitation. Therefore, the grant of ex-gratia amount must be considered in a liberal and purposive manner so as to advance the object of relief rather than frustrate it by adopting a hyper-technical approach.

9. Accordingly, the impugned order dated 02.06.2020 passed by the Collector, Rajnandgaon (C.G.) in Revenue Case No. 46/ ब /121, year 2019-20 is set aside and the matter is remitted back to the Collector, Rajnandgaon to reconsider the issue after considering the merg report and statements of the witnesses recorded by the police of Police Station Chhuriya, District Rajnandgaon during the course of merg enquiry and decide the application filed by petitioner by adopting liberal approach in light of the observation made by this Court in paragraph 8 of this order.

9. Let this exercise shall be carried out by the Collector, Rajnandgaon expeditiously, preferably within a period of 60 days from the date of receipt / submission of copy of this order.



- 10.** The writ petition is allowed to the extent indicated herein-above.

Sd/-
(Naresh Kumar Chandravanshi)
Judge