



2026:CGHC:27075



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 3352 of 2026

Shyam Singh Gada S/o Phool Singh Gada, Aged About 35 Years R/o Dongaghat Dhangaon, Tehsil Ajarbahar District- Korba (C.G.)

... **Petitioner**

versus

1 - State Of Chhattisgarh Through Its Secretary, Department Of Revenue And Disaster Management , Mantralaya, Mahanadi Bhawan, Atal Nagar, District- Raipur (C.G.)

2 - Collector, Korba District- Korba (C.G.)

3 - Additional Collector, Korba District- Korba (C.G.)

4 - Sub Divisional Officer Korba District- Korba (C.G.)

5 - Tahsildar Tahsil Ajarbahar District- Korba (C.G.)

6 - Chief Medical And Health Officer Korba District- Korba (C.G.)

... **Respondents**

(Cause-title taken from Case Information System)

For Petitioner	:	Mr. Vikas Kumar Pandey, Advocate
For State/Respondents	:	Mr. S.S. Choubey, Govt. Advocate

Hon'ble Shri Amitendra Kishore Prasad, Judge

Order on Board

02.07.2026

1. Heard.
2. The petitioner has filed this petition with the following relief(s) :-

"10.1 The Hon'ble Court may kindly be pleased to set aside the order dated 07/11/2025, passed by the respondent no.3.

10.2 The Hon'ble Court may kindly be pleased to issue direction to the respondents to pay



compensation to the petitioner on account of the death of its wife due to snake biting.

10.3 Any other consequential relief which this Hon'ble Court deems fit and proper and for which the petitioner is entitled, may also kindly be granted to the petitioner, in the interest of justice."

3. By filing the present writ petition, the petitioner has called in question the legality and validity of the order dated 07.11.2025 passed by respondent No.3, whereby the claim of the petitioner for grant of compensation on account of the death of his wife under the relevant RBC Circular has been rejected. The petitioner has further sought a direction to the respondents to pay compensation on the ground that the petitioner's wife died due to snake bite.
4. Learned counsel for the petitioner submits that the wife of the petitioner, namely Smt. Suman Gada, died on 08.08.2023 after allegedly suffering snake bite at about 03:00 A.M. It is submitted that immediately after the incident, mere intimation was recorded and in the initial proceedings, the cause of death was noted to be snake bite. It is further submitted that after the death of the petitioner's wife, an application for grant of compensation was preferred before the competent authority under the applicable RBC Circular, whereupon the matter was processed by the revenue authorities and statements of the petitioner and other villagers were recorded and a Panchnama was also prepared in support of the petitioner's case.



5. Learned counsel for the petitioner would further submit that the postmortem report did not give any final opinion as to the cause of death and specifically mentioned that the cause of death would be determined after receipt of the FSL report. It is submitted that during pendency of the petitioner's application, the FSL report was received and thereafter, solely on the basis of the said report, the Sub-Divisional Officer, Korba (C.G.) rejected the claim of the petitioner by holding that no poisonous substance/snake venom was found in the viscera of the deceased and, therefore, the death could not be treated as one caused by snake bite for the purpose of grant of compensation under the RBC Circular. Learned counsel submits that the impugned rejection is arbitrary and illegal inasmuch as the initial merged report, statements of witnesses and Panchnama all support the case of the petitioner that the deceased died due to snake bite.
6. Per contra, learned State counsel submits that the claim of the petitioner has been duly considered by the competent authority and has rightly been rejected in accordance with law. It is submitted that the postmortem report itself specifically mentioned that the final cause of death would be opined only after receipt of the FSL report. Thereafter, upon receipt of the FSL report, no poisonous substance/snake venom was found in the viscera of the deceased. Therefore, the Sub-Divisional Officer, Korba (C.G.), while considering the petitioner's claim under the RBC Circular, rightly concluded that the death of the petitioner's wife was not



established to be due to snake bite and consequently rejected the claim. It is thus submitted that no illegality has been committed by the authority in passing the impugned order.

7. I have heard learned counsel for the parties and perused the material available on record.
8. From perusal of the record, it appears that in the postmortem report the final opinion regarding the cause of death was kept reserved and was to be determined only after receipt of the FSL report. Thereafter, the FSL report was obtained and the same did not confirm presence of snake venom or any poisonous substance in the viscera of the deceased. On the basis of the said medical/forensic material, the competent authority proceeded to consider the petitioner's claim under the RBC Circular.
9. This Court is of the considered opinion that once the postmortem report itself made the final opinion regarding the cause of death subject to the FSL report, and the FSL report did not support the case of death due to snake bite, the Sub-Divisional Officer, Korba (C.G.) cannot be said to have committed any jurisdictional error or manifest illegality in rejecting the petitioner's claim for compensation. Merely because in the merg intimation or in the statements of witnesses the death was initially suspected or stated to be on account of snake bite, the same by itself would not override the medical and forensic material available on record, particularly when the competent authority has taken into



consideration the final opinion emerging from the postmortem and FSL reports while deciding the claim under the RBC Circular.

10. In the considered opinion of this Court, the impugned order passed by the Sub-Divisional Officer, Korba (C.G.) does not suffer from any perversity, arbitrariness or illegality warranting interference in exercise of writ jurisdiction under Article 226 of the Constitution of India.
11. Accordingly, the writ petition, being devoid of merit, deserves to be and is hereby dismissed.

Sd/-
(Amitendra Kishore Prasad)
Judge

Yogesh