

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3872 of 2023

Manju Singh Wife of Late Rabindra Singh, Resident of Village- Punabar,
P.O.- Sundarganj, P.S.- Ridhiup, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, General Administration Department, Government of Bihar, Patna.
2. The Principal Secretary, Disaster Management Department, Government of Bihar, Patna.
3. The Divisional Commissioner, Magadh Division, Gaya.
4. The District Magistrate, Aurangabad (Bihar)
5. The Civil Surgeon-cum-Chief Medical Officer, Aurangabad (Bihar)
6. The District Disaster Management Officer, Aurangabad.
7. State Health Society/Committee, through its Executive Director, Government of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Uma Kant Mishra, Advocate
For the Respondent/s	:	Mr.Rishi Raj Sinha (Sc19)
		Mr.Atul Shankar, AC to SC-19
For State Health Society	:	Mr.K.K.Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 17-10-2023 1. The present writ petition has been filed seeking the following relief(s):-

“(1) For issuance an appropriate writ/writs, order/ orders directing the concerned Respondents to pay the petitioner an adequate amount of ex gratia monetary compensation of Rs. 4.50 Lacs (Rs. Four Lacs Fifty thousand) as extended to similarly situated persons in terms of decision of the State Government communicated to concerned authorities vide Memo No. 164 (II) dated 03.03.2022 issued



*under the signature of the Special Officer.
Department of Health, Government of Bihar.
Patna in pursuance of order passed by the
Hon'ble Supreme Court in writ petition (Civil)
No.549/2021 and 544/2021, whose husband
died of Covid 19 on 02.05.2021 during course
of treatment.”*

2. At the outset, the learned counsel for the respondents seeks to file a counter affidavit, sworn by the Additional Chief Secretary, Disaster Management Department, Government of Bihar, Patna, which is taken on record, wherein it has been submitted that as per the notification dated 09.06.2021, the State Government has framed a policy to pay ex-gratia grant of a sum of Rs.4,00,000/- to the nearest dependent of persons who are residents of Bihar and whose death has taken place in state of Bihar, on account of Covid-19 infection, however, admittedly in the present case the husband of the petitioner has died of Covid-19 infection on 02.05.2021 at Bokaro, in the State of Jharkhand, thus as per the policy of State Government, no ex-gratia amount can be paid to the petitioner.

3. In view of the aforesaid, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the aforesaid policy decision dated 09.06.2021, of the respondent-State Government. Liberty so sought is granted.



4. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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