

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.132 of 2024

Usha Devi Wife of Late Shiya Sharan Prasad, R/o Village- Piprabagai, P.S.-
Kutumba, Distt- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department,
Government of Bihar, Patna.
2. The Director in Chief, Health Department, Government of Bihar, Patna.
3. The District Magistrate, Aurangabad.
4. The Circle Officer, Kutumba (Amba), Aurangabad.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Akash Raj, Advocate
For the Respondent/s : Mr.Government Pleader 19

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 04-07-2024 The present writ petition has been filed
seeking the following relief:-

*“1. I. For issuance of a writ/s, order/s,
direction/s in the nature of Mandamus
directing and commanding the
respondent authorities to compensate
the petitioner a sum of Rs. 4,00,000/-
in pursuance of government letter
bearing MHA32-7/2014, wherein the
State Government has notified to
compensate the family members of
those who died due to Covid-19
pandemic.*

*II. For issuance of a writ/s, order/s,
direction/s in the nature of Mandamus
directing the respondent authority to
decide the representation of the
petitioner dated 21/02/2022(Annexure-
P/4), which has been given and duly
received by the office of District*



Magistrate, Aurangabad, Bihar."

2. At the outset, the learned counsel for the respondent-State submits, by referring to the Notification issued by the Secretary, Disaster Management Department, Government of Bihar, Patna dated 13.04.2022, that in cases where the death of the residents of the State of Bihar takes place outside the State of Bihar i.e. in other States like in the present case the death of the husband of the petitioner has taken place in the State of Jharkhand, the authorities of the State of Bihar are required to forward details of such cases, for payment of the *ex gratia* amount, to the authorities of the States in which the death has taken place on account of Covid-19 infection and thereafter, the authorities of the State of Bihar are required to pursue the matter with the authorities of the other States so that relief can be granted to the legal heirs of the deceased persons. It is further submitted that in view of the said policy as contained in Notification dated 13.04.2022, the case of the petitioner has been forwarded to the State of Jharkhand and the respondents would



definitely pursue the case of the petitioner for grant of *ex gratia* amount to the petitioner, however, the petitioner may also take appropriate steps by approaching the Hon'ble Jharkhand High Court.

3. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Secretary, Disaster Management Department, Government of Bihar, Patna to pursue the case of the petitioner with the concerned authorities of the State of Jharkhand, for the purposes of grant of *ex gratia* amount to the petitioner in lieu of death of her husband on account of Covid-19 infection at Health Point Hospital, Ranchi (Jharkhand).

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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