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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 6820/2021, CM APPL. 21477/2021, CM APPL. 28888/2021
& CM APPL. 34201/2021

MS. K. R. CHITRA ADVOCATE

.....Petitioner

Through: Petition in person.

versus

UNION OF INDIA THROUGH SECRETARY MINISTRY OF
SOCIAL JUSTICE AND EMPOWERMENT, DEPARTMENT OF
SOCIAL JUSTICE AND EMPOWERMENT, & ANR.

.....Respondents

Through: Mr. V. S. R Krishna, Mr. V Shashank
Kumar, Advocates for AIIMS.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

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20.04.2026

1. The petition is, *inter alia*, for directions to respondents no. 1 and 2 to extend financial assistance to the petitioner to meet her daily expenses and for her medical treatment.
2. As per the case set up by the petitioner, she is an old single lady without any source of income. According to her, she is facing medical complications and requires immediate treatment in this regard. She claims to have applied for financial assistance from the respondent authorities, on multiple occasions, but has not received any response thereto. The respondents, in their replies have taken the stand that although there do exist various schemes and programmes for medical and financial assistance to



indigent persons and senior citizens, the petitioner's case does not fall under any of them. Further, they contend that free medical services are being rendered at Government-hospitals, which may be availed by the petitioner. Therefore, according to them, the petition is misconceived.

3. It is seen that the petitioner has not specifically pointed out any scheme under which, she would be eligible for financial assistance as sought here. Therefore, the petitioner has not made out any legal right vested in her, which is sought to be enforced in this petition.

4. The respondents authorities, in their wisdom have formulated various programmes and schemes for financial and medical assistance to various groups. However, unless the petitioner is eligible under any of the aforesaid schemes, she would not be entitled to financial assistance from the respondents. Under Article 226 of the Constitution of India, this Court exercises its powers to enforce existing legal rights and direct performance of statutory duties. In the absence of any such right or duty, the writ jurisdiction may not be invoked. Reference may be had to the decision in **Ayaubkhan Noorkhan Pathan v. State of Maharashtra**,¹ wherein, the Supreme Court has held as under:

“9. It is a settled legal proposition that a stranger cannot be permitted to meddle in any proceeding, unless he satisfies the authority/court, that he falls within the category of aggrieved persons. Only a person who has suffered, or suffers from legal injury can challenge the act/action/order, etc. in a court of law. A writ petition under Article 226 of the Constitution is maintainable either for the purpose of enforcing a statutory or legal right, or when there is a complaint by the appellant that there has been a breach of statutory duty on the part of the authorities. Therefore, there must be a judicially enforceable right available for enforcement, on the basis of which writ jurisdiction is resorted to. The Court can, of course, enforce the performance of a

¹ (2013) 4 SCC 465



statutory duty by a public body, using its writ jurisdiction at the behest of a person, provided that such person satisfies the Court that he has a legal right to insist on such performance. The existence of such right is a condition precedent for invoking the writ jurisdiction of the courts. It is implicit in the exercise of such extraordinary jurisdiction that the relief prayed for must be one to enforce a legal right. In fact, the existence of such right, is the foundation of the exercise of the said jurisdiction by the Court. The legal right that can be enforced must ordinarily be the right of the appellant himself, who complains of infraction of such right and approaches the Court for relief as regards the same. [Vide State of Orissa v. Madan Gopal Rungta, Saghir Ahmad v. State of U.P., Calcutta Gas Co. (Proprietary) Ltd. v. State of W.B., Rajendra Singh v. State of M.P. and Tamilnad Mercantile Bank Shareholders Welfare Assn. (2) v. S.C. Sekar.]”

5. In view thereof, there cannot be any unilateral direction to the respondent to necessarily provide financial assistance as has been prayed in the instant writ petition.

6. For all those reasons, the Court is not inclined to keep this petition pending instead disposes it of with liberty to the petitioner to apply under the specific scheme if she so desires and is entitled to seek financial assistance.

PURUSHAINDR KUMAR KAURAV, J

APRIL 20, 2026/p