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

+ **CONT.CAS(C) 1253/2025**

DHRUV GOEL

.....Petitioner

Through: Mr. Gaurav Jain, Mr. Naveen
Choudhary and Mr. Gaurav Jain,
Advs.

versus

CHIEF SECRETARY, GNCTD

.....Respondent

Through: Mr Farman Ali CGSC, Ms Usha
Jamnal, Advocate.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **09.01.2026**

1. This petition has arisen out from non-compliance of the directions dated 31.01.2025 passed in W.P. (C) 5434/2024. The order dated 31.01.2025 is extracted as under:

"1. The Government of the NCT of Delhi vide the Cabinet Decision no. 2835 dated 13.05.2020 (hereinafter 'Cabinet Decision') had decided to grant Rs. 1 crore ex-gratia compensation for the families of individuals who expired while deployed for COVID-19 duty. The aforesaid families were also to be granted ex-gratia compensation of Rs. 50 Lakhs by the Union of India under the Pradhan Mantri Garib Kalyan Package ('PMGKP') scheme. 2. Learned counsel for the respondent no. 1 does not deny that the petitioners claim under the aforesaid Cabinet Decision, and the PMGKP scheme is admissible and payable. However, till date, the petitioner has not received the aforesaid ex-gratia payment.

3. Let steps be taken by the respondent no. 1 to pay the requisite amount to the petitioner, failing which, the Special Secretary, Department of Revenue, Govt. of NCT, Delhi, shall join the proceedings virtually on the next date of hearing.

4. The respondent no.1 is also directed to supply the necessary documents to the respondent no.2 for the purpose of processing the petitioner's



entitlement under the PMGKP. In this regard, in case, any deficiency has been indicated by the respondent no.2, the same shall be cured by the respondent no.1 and the requisite documents shall be supplied as expeditiously as possible in the desired format, within a period of four weeks from today. The respondent no.2 shall ensure that requisite decision is taken and the admissible payment is made to the petitioner within a period of six weeks thereafter.

5. List for reporting compliance on 09.04.2025.”

2. The second compliance affidavit filed by respondent no.3 dated 14.11.2025 contains the following averments:

“I, Manish Raj S/o Shri Baijnath Prasad, aged about 49 years, working as Under Secretary, Ministry of Health & Family Welfare, National AIDS Control Organisation having Office at 9th Floor, Chanderlok Building, 36, Janpath, New Delhi, do hereby solemnly affirm and declare as under:

1. That I am the above-named deponent and am well conversant with the facts and circumstances of the present case and am competent to affirm and declare the present affidavit on behalf of the Respondents.

2. That the present affidavit is being in addition to the earlier affidavit dated 18.09.2025 filled by the answering Respondents in the present matter.

3. It is submitted that in compliance of Order dated 31.01.2025, passed by the Hon'ble High Court of Delhi, the answering Respondents have received the relevant documents only on 25.08.2025 by the counsel. However, while processing the claim on the basis of the documents furnished, and in conformity with the prevailing policy framework and guidelines of the answering Respondents such claims, the following deficiencies have been noted:

(i) The mandatory certificate required to be issued by the District Collector of the concerned district, certifying the eligibility of the claim for insurance in the prescribed proforma, was not furnished.

(ii) The COVID-19 test report of late Shri R.K. Goel is recorded as negative. As per the specific provisions of the Scheme Guidelines, particularly para 4. 4. It is submission of the original/certified laboratory report confirming a positive COVID-19 test is a mandatory prerequisite for claim approval. The same is not available in the present case.

4. It is submitted the answering Respondents, vide letter dated 08.09.2025, duly intimated Respondent Nos. 1 and 2 regarding the aforesaid deficiencies and specifically requested them to furnish the requisite documents at the earliest, in order to enable processing of the claim in accordance with the Scheme.

5. It is submitted that in view of the FAQ's released by the answering



Respondents the following documents are required for processing the claimed compensation in case of Loss of Life due to COVID-19 under the Pradhan Mantri Garib Kalyan Package (PMGKP) Insurance Scheme:

- a. Claimed form duly filled and signed by the nominee/claimant(Certified Copy)*
 - b. Identity proof of claimant (Certified Copy)*
 - c. Proof of relationship between the Deceased and the claimant (Certified Copy)*
 - d. Laboratory Report certifying having tested Positive for COVID-19 (Certified Copy)*
 - e. Death Summary by the Hospital where death occurred (in case death occurred in hospital) (Certified Copy)*
 - f. Death Certificate (Certified Copy)*
 - g. Certificate by the Healthcare Institution/ organization/ office that the deceased was an employee of/engaged by the institution and was deployed/drafted for care and may have come in direct contact of the COVID-19 patient. For community health care workers, the Certificate should be from Medical Officer of Primary Health Centre (PHC) that ASHA/ASHA Facilitator was drafted for work related to COVID-19. (Certified Copy)*
- 6. It is submitted that, subsequently, a communication dated 06.10.2025 was received from the Government of NCT of Delhi (GNCTD), enclosing the following documents :*
- (i) A copy of the certificate issued by the District Collector of the concerned district; and*
 - (ii) A reference to Letter No. Fl(145)/AAMC-Prol./Dr. Ravinder/Doctor/DHSWD/19/2188-91 dated 13.12.2024, wherein the Death Audit Committee, constituted vide Order No. F.23/Misc. /COVID-19/ DGHS/ NHCI2020/Pt.-VIIA.Part-I/ 1449- 1452 dated 06.09.2024, examined the case of late Dr. Ravinder Kumar Goel and opined, on the basis of the available records, that the death was due to COVID-19.*

*A True Copy of communication dated 06.10.2025 received from the Government of NCT of Delhi (GNCTD) is annexed herewith and **ANNEXURE R-01.***

It is submitted that, under the Pradhan Mantri Garib Kalyan Package (PMGKP) Insurance Scheme, submission of a COVID-19 positive test report is a mandatory and non-relaxable requirement for processing any Claim. Accordingly, upon re-examination of the case in light of the documents received from the GNCTD, it was observed that the claim of Shri R.K. Goel does not qualify for compensation under the PMGKP Scheme. It is further submitted that the policy guidelines of the PMGKP Scheme do not provide any scope for relaxation or deviation from the stipulated eligibility conditions.

8. It is submitted that vide Letter dated 07.10.2025 , the answering rejected



*the claim of the Petitioner, on the ground that the COVID-19 test report was negative, and the opinion of the Death Audit Committee of the GNCTD, being based solely on secondary records and issued more than three years after the date of death, cannot substitute the mandatory requirement of a laboratory-confirmed positive COVID-19 test report. A True Copy of Letter dated 07.10.2025 issued by the answering Respondents are annexed herewith and marked as **ANNEXURE R-02.**”*

3. It is thus seen that *vide* letter dated 07.10.2025, the said authority has rejected the claim of the petitioner on the ground that the Covid-19 test report was negative and the opinion of the Death Audit Committee of the GNCTD, purportedly, being solely based on secondary report and issued more than three years after the date of the death, cannot substitute the mandatory requirement of a laboratory confirmed positive Covid-19 test report.

4. There seems to be some delay in compliance of the Court order; however, Mr Farman Ali, learned counsel appearing for the respondent, tenders an unconditional apology on behalf of the said authority. This seems to be *bona fide* and is accordingly accepted.

5. So far as the grievance of the petitioner with respect to the manner in which, the entitlement has been dealt with is concerned, the petitioner will have appropriate remedy to challenge the order dated 17.10.2025 in accordance with law.

6. Granting that liberty in favour of the petitioner, the Court does not find it appropriate to continue with the contempt application. Accordingly, the proposed contemnor stands discharged, and the contempt application stands disposed of.

PURUSHAINDRA KUMAR KAURAV, J

JANUARY 9, 2026/P/MJ