



2026:DHC:2645



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 3310/2024**

Date of decision: **27.03.2026**

IN THE MATTER OF:

PREM SHEELA KUMARI

.....Petitioner

(Through: Mr.Prafulla, Ms. Divya, Mr. Ankur Rana , Mr Kuldeep Singh, Advocates.)

versus

GOVT OF NCT OF DELHI DEPARTMENT OF REVENUE &
ANR.

.....Respondents

(Through: Ms. Vaishali Gupta, Panel Counsel (Civil) GNCTD, Mr. Kartik Sharma, Advocates for R-1 and 2.)

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

J U D G E M E N T

PURUSHAINDR KUMAR KAURAV, J. (ORAL)

1. The instant petition is for the following reliefs:-

"a) To quash the order dated 03.11.2023 issued by the competent authority chaired by the Group of ministers undersigned by SDM-II(HQ).

b) Direction to the Respondent authority to release the compensation of exgratia of Rs 1 crore to the family of late Dr. Raja Ram Singh, Vice Principal/HoS, Gbsss, C –Block, Sangam Vihar, Delhi expired on 29.05.2021 due to illness (covid-19) in terms of the cabinet decision no. 2835 dated 13th May, 2020.

c) As such other order as this Hon'ble Court may deem fit and proper in



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the interest of justice; And for this act of kindness the petitioner above named shall ever pray.

d) Award costs in favour of the Petitioner and against the respondents.”

2. The petition is filed by Smt. Prem Sheela Kumari, the widow of late Raja Ram Singh (“**Deceased**”), who was admitted in Dr. Ambedkar Hospital, Rohini on 03.05.2021 and expired on 29.05.2021 owing to the COVID-19 disease. The petitioner’s challenge is to the order dated 03.11.2023 passed by the Group of Ministers (“**GoM**”), denying *ex gratia* compensation of a sum of Rs. 1 Crore under the Cabinet Decision dated 13.05.2020.

3. The facts of the case would indicate that under a special coronavirus relief initiative named "*Mukhya Corona Sahayata Yojana*" dry rations were distributed at approximately 550 designated centres across Delhi from 07.04.2020. The then District Magistrate selected GBSSS, C-Block, Sangam Vihar, Delhi as one of the centres for ration distribution and designated it as a "*Hunger Relief Centre*". The deceased, who was working as the Head of School/Vice Principal, was directed to supervise and monitor the distribution of both cooked food and dry ration while adhering to COVID protocols. Despite performing his regular duties and administrative responsibilities, the deceased continued to provide additional services by supervising and monitoring the ration centre operating within the school premises.

4. Thereafter, in the second phase of the lockdown commencing from 19.04. 2021, the deceased, in his capacity as the Head of School (HoS)/Vice Principal, diligently fulfilled the duties assigned by the District Magistrate. These responsibilities included overseeing the distribution of dry rations,



coordinating the distribution of mid-day meals within the school, and supervising the operations of the Hunger Relief Centre, all in accordance with directions from higher authorities. Unfortunately, on 02.05.2021, while actively engaged in these duties, he contracted the COVID-19 virus, and upon being admitted to Dr. Ambedkar Hospital, Rohini, New Delhi, on 03.05.2021, ultimately succumbed to COVID-19.

5. The sole reason given by the GoM to deny the entitlement of the petitioner for *ex-gratia* compensation of Rs. 1 Crore, is that the petitioner was performing his routine duty as a HOS/Vice Principal and the case does not relate to covid duty as enunciated in the meeting held on 05.10.2023. The recommendations of the GoM held on 05.10.2023 is extracted as under:-

“The Group of Ministers was of the consideration that the case is not covered under Cabinet Decision No. 2835 dated 13.05.2020. The deceased was performing his routine duty as a HOS/Vice Principal. However, it was not a Covid duty. The case does not relate to covid duty as enunciated in the meeting on 13.09.2023.”

6. It, however, remains undisputed that the Deputy Director who had attended the meeting on 13.09.2023, clarified that the deceased was deployed at the Centre, which was designated by the District Magistrate. The material portion of the minutes of the meeting dated 13.09.2023 evidencing the same reads as under:

“Order regarding assignment of COVID related duties

As per note of Administrative department, "Dr. Raja Ram Singh attended his regular duties in the school till 01-05-2021. He got covid positive report on 02.05.2021 and admitted in Dr. Ambedkar Hospital Rohini on 03-05-2021 and deceased in hospital on 29-05-2021.

Recommendation of the Committee

“...The Deputy Director of Education who has attended the meeting clarified that the school where the deceased Sh. Raja Ram Singh was deployed for ration distribution in Hunger Relief Centre during the



second wave of COVID, but no sufficient documentary evidence is available in record. Further he clarified that Sh. Raja Ram Singh was attending the school regularly for management of ration distribution and got infected by COVID-19 while performing his duty and expired on 29.05.2021...”

7. This Court in the cases of *Smt. Ram Dulari and Ors. v.GNCTD*,¹ and *Narender Kumar vs. The Government of NCT of Delhi & Anr.*² has considered almost similar aspects. In the case of *Smt. Ram Dulari*, the deceased was a driver in Delhi Transport Corporation (‘DTC’) and in the case of *Narender Kumar*, the deceased was a Safai Karamchhari. In both the cases, the claim was rejected on the ground that they were not performing covid duty rather their duties were routine duties. The Court had repelled the submissions of the respondents and in paragraph nos.12 to 15 in the case of *Smt. Ram Dulari*, has held as under:-

“12. It would be apposite to note the state of affairs which prevailed when the Cabinet Decision was taken and the subsequent circular came to be issued. The country was confronted with an unprecedented pandemic which disrupted every aspect of civic life and placed extraordinary pressure upon the State machinery. It was persons like late Sh. Bharat Singh, who ensured that there was no complete collapse of essential public services and basic civic functioning. Much like soldiers who stand at the borders to protect the nation in times of external threat, these frontline workers continued to discharge their duties amidst grave personal risk, exposure and uncertainty, so that the life of the community could continue with some semblance of order. It was in recognition of this extraordinary sacrifice, and the indispensable nature of such service, that the policy for grant of ex gratia compensation came to be framed.

13. The observation of the GoM, seems to restrict the operation of the Cabinet decision only to those individuals who were performing specific duties like patient care duties/duty in a containment zone during COVID-19 pandemic/working in COVID designated hospital/special COVID relief work. Such a curtailment is de hors the scheme of the circular and does not, in any manner, bear out from the same. There is no difference

¹ W.P.(C) 16201/2023, Order Dt. 11.03.2026.

² W.P.(C) 5863/2024, Order Dt. 18.03.2026



between COVID-19 duty and routine duty and any artificial distinction sought to be created, would be arbitrary and unsustainable in the eyes of law.

14. *While the conclusion being reached by the Court is based exclusively on the text, object and purpose of the Cabinet Decision, a brief reference may also be made to the manner in which the Govt. announced the said Cabinet Decision, as reported by reputed news agencies:*

“We started the scheme to cover any doctor, nurse, lab technician or hospital sanitation worker contracting the infection and dying during the course of duty,” Kejriwal said. “There are other people too who are looking after corona patients - policemen, civil defence volunteers, teachers and fire service personnel. If anyone contracts coronavirus and dies while attending to corona patients, their families will also be given Rs 1 crore.”³

“Those serving the coronavirus patients are “no less than soldiers protecting the country”...”During a war, a soldier protects his country, risks his life.... our whole nation is indebted to them. Today, the job that you guys (health workers) are doing is no less than that of a soldier. You are risking your life to save people of this country,”

“Delhi government had earlier announced that if any soldier dies while protecting the country, his family will be given Rs 1 crore. Today, as a mark of respect, I want to announce that if unfortunately, any health worker - a sanitation worker, doctor or nurse - is martyred while serving COVID-19 patients, their families will be given Rs 1 crore. Whether they are from private or government sector... it doesn't matter”⁴

15. *When the petitioner was admittedly deployed for performing his duty for transportation of migrant workers, in no case, it can be said that the petitioner was not deployed for COVID-19 duty. Reference may also be made to the decision with respect to another DTC driver, namely, late Sh. Lal Singh, who was almost similarly placed as the petitioner, and was granted ex-gratia compensation.*

³ Alok KN Mishra, ‘Delhi Govt. Expands Reach of Rs. 1 Cr. Compensation’, The Economic Times, 19th April, 2020, accessible at <<https://economictimes.indiatimes.com/news/politics-and-nation/delhi-govt-expands-reach-of-rs-1-cr-compensation/articleshow/75229622.cms?from=mdr>>.

⁴ Swati Bhasin, ‘Rs. 1 Crore for Families of COVID-19 Warriors If They Die’, 14th April, 2020, accessible at <<https://www.ndtv.com/india-news/arvind-kejriwal-announces-rs-1-crore-for-families-of-health-personnel-if-they-lose-their-lives-while-2204204>>.



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16. *It is, thus, palpably apparent that the petitioner is eligible for the ex-gratia amount of Rs. 1 Crore under the Cabinet decision, which culminated into the Circular dated 19.04.2020.”*

8. A similar position has been taken by this Court in the case of ***Narender Kumar.***

9. In the instant case as well, the factum of the death of deceased remains undisputed that he died due to covid-19. He was admitted to the hospital, where he had expired. He was performing covid-19 duty as can be reassured from the statement given by the Deputy Director through the GoM.

10. Looking at the purpose of the scheme that was enacted, the Court finds that the petitioner is entitled for *ex-gratia* compensation of Rs. 1 Crore. Accordingly, the order dated 03.11.2023 is set aside.

11. The Court, therefore, directs the respondents to grant the petitioner *ex-gratia* compensation of Rs. 1 Crore within a period of six (6) weeks from today.

12. With the aforesaid direction, the petition, along with pending application(s), if any, stands disposed of.

13. List for compliance on 15.05.2026.

(PURUSHAINDRA KUMAR KAURAV)
JUDGE

MARCH 27, 2026

Nc