



2026:AHC:221850-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 10090 of 2022

Archana Singh

.....Petitioner(s)

Versus

State of U.P. and 3 others

.....Respondent(s)

Counsel for Petitioner(s)	: Rudra Kant Mishra
Counsel for Respondent(s)	: Abhishek Srivastava, C.S.C.

A.F.R.

Reserved on 25.09.2026

Delivered on 26.10.2026

Court No. - 5

HON'BLE PRAKASH PADIA, J.
HON'BLE GARIMA PRASHAD, J.
(As per Hon'ble Garima Parshad, J.)

1. Heard Sri Rudra Kant Mishra, learned counsel for the petitioner, Sri Abhishek Srivastava, learned counsel for the respondent no. 3 and learned Standing Counsel for the State.
2. The present Writ Petition has been filed for quashing the order dated 16.11.2021 passed by the District Magistrate, Sonbhadra, rejecting the petitioner's claim for ex gratia assistance of Rs.50,00,000/- on account of the death of her husband due to COVID-19, and for a direction to release the amount under the Government scheme.
3. Briefly stated, the facts are that the petitioner's husband, late Ravindra Kumar Singh, was employed as a Junior Engineer at the Obra Thermal Power Project of the Uttar Pradesh Rajya Vidyut Utpadan Nigam Limited. He continued to discharge his duties during the COVID-19 pandemic and was admitted to the 200-bed Super Speciality COVID Hospital at Lodhi, Sonbhadra, on 28.04.2021. His bed-head ticket

records a positive COVID antigen result. He died during treatment on 05.05.2021, and the hospital's death proforma records COVID-19 viral pneumonia followed by cardiopulmonary arrest.

4. By a letter dated 13.05.2021, the Chief General Manager of the project recommended payment of Rs.50,00,000/- to the petitioner. The letter explained that uninterrupted generation and supply of electricity were necessary for the treatment of COVID patients and that the deceased had continued to perform his duties until he contracted the infection. On the report dated 12.06.2021 of the committee constituted under the chairmanship of the Chief Development Officer, the District Magistrate approved the claim. This approval was communicated by the Additional District Magistrate on 15.06.2021, with a direction to seek budget allocation from the State Government.

5. The district administration subsequently called for verification of the certificates and records. On 18.08.2021, the Chief General Manager certified that the deceased had died of COVID-19 and that the certificates and records submitted in support of the claim had been verified and were correct. Nevertheless, by the impugned order dated 16.11.2021, the application was rejected and returned. The table accompanying the order records the District Magistrate's recommendation, the Chief Medical Officer's certificate, the COVID duty order, the duty certificate, the death registration certificate and the Additional District Magistrate's verification certificate as available. The only document marked as unavailable is the positive RT-PCR report.

6. Learned counsel for the petitioner submits that the claim has been rejected on a technical ground despite the official medical records establishing a positive antigen result and death due to COVID-19. The employer had certified the nature of the deceased's duties and verified the supporting documents, and the district administration had itself approved the claim. The absence of a separate RT-PCR report cannot defeat the petitioner's entitlement when the infection and cause of death are acknowledged by the respondents.

7. Per contra, learned Standing Counsel for the State supports the impugned order and submits that the Government Order dated 26.07.2021 requires a legible copy of an RT-PCR, antigen or CT scan report to be uploaded on the Relief Commissioner's portal. Such a report was not available, and the documents furnished were therefore not considered sufficient. It is submitted that the claim could not be processed on the portal without the prescribed document.

8. Having considered the rival submissions and the material on record, the main issue before the Court is whether the petitioner's claim can be rejected for want of a separate positive test report when the official medical records record a positive antigen result, the death has been certified as attributable to COVID-19, and the respondents acknowledge those facts.

9. The Government scheme provides a one-time ex gratia payment of Rs.50,00,000/- to the dependants of personnel who died from COVID-19 infection while performing duties connected with its prevention, protection or treatment. The Government Order issued in June 2021 continued the arrangement for the financial year 2021-22 and extended it beyond personnel of the Medical Department to employees of other departments and public bodies whose duties had been assigned for that purpose. It requires the head of office or District Magistrate to certify the duty and the Chief Medical Officer to certify death due to COVID-19.

10. The Government Order dated 26.07.2021 prescribes the supporting records to be uploaded and verified. Item 2 of paragraph 3 requires “मृतक कार्मिक की आरटीपीसीआर/एंटीजन/सीटी स्कैन की पठनीय प्रति।” This requires a legible copy of the deceased employee's RT-PCR, antigen or CT scan report. The alternatives expressly provided show that an RT-PCR report is not the only recognised means of confirming the infection. The requirement must also be read with the COVID-19 death-certificate form forming part of the scheme. Item 7 of that form provides:

“यदि कोविड की जाँच उपरोक्त क्रमांक 5 में वर्णित पद्धति से नहीं की गयी तो कोविड प्रमाणित करने का अन्य स्रोत (विवरण अंकित करें)”

The form thus permits the certifying medical authority to identify another source of confirmation where COVID testing was not undertaken by the methods specified in item 5. The scheme recognises medical certification and does not make the existence of an RT-PCR report an indispensable condition in every case.

11. The purpose of these requirements is to establish the employee's qualifying duty, COVID infection and death from that infection, and to enable the administration to verify the claim. Verification remains necessary. The requirement of a supporting report, however, must be applied in keeping with that purpose and the other provisions of the scheme. Where the Government hospital's contemporaneous records expressly record a positive antigen result and the respondents accept the infection and cause of death, the absence of a separate copy of the test report cannot be treated as absence of proof of COVID-19.

12. In the present case, the State authorities had themselves examined and recommended the petitioner's claim for payment of compensation. On the committee's report dated 12.06.2021, the District Magistrate approved payment, and the approval was communicated on 15.06.2021. The supporting certificates and records were subsequently verified. The authorities had thus accepted the claim under the scheme. It was subsequently rejected solely for want of the positive RT-PCR report, while the impugned order records all the other required documents as available.

13. The medical evidence is equally clear. The bed-head ticket records the positive antigen result at admission, and the hospital's death proforma records COVID-19 viral pneumonia followed by cardiopulmonary arrest. In their affidavit, the respondents acknowledge the employer's communication that the deceased had tested antigen positive and died from the infection. It further refers to the Chief Medical Officer's certificate dated 11.06.2021 and acknowledges his admission on 28.04.2021 and death during treatment on 05.05.2021. The authenticity of these medical records has not been questioned. The

dispute concerns the absence of a separate report, rather than the recorded diagnosis or cause of death.

14. The claim must also be considered in the circumstances of the pandemic in which the employee was treated and died. Families dealing with serious illness, death and the arrangements that followed could not reasonably be expected to obtain and preserve every medical paper with the same ease as in ordinary conditions. This does not dispense with proof of infection or death. It requires the authorities to give proper weight to the official records that are available, particularly where those records have been verified and their material contents are accepted in their own affidavit.

15. A death registration certificate must likewise be read with the hospital records and medical certification of the cause of death. Its wording cannot, by itself, displace the contemporaneous diagnosis and the cause recorded by the treating hospital. In this case, the hospital's own death proforma expressly records COVID-19 viral pneumonia. Cardiopulmonary arrest is recorded as the event that followed it. That entry provides no basis for disregarding COVID-19 as the underlying cause of death.

16. The respondents have thus accepted the facts which the missing report was intended to establish. The supporting certificates have been verified, the qualifying duty has been accepted, and death from COVID-19 is acknowledged. The asserted difficulty in uploading a separate report on the portal is an administrative difficulty and cannot justify withholding assistance where entitlement under the scheme is established by the undisputed official records. The rejection for want of that report, without giving effect to these records and admissions, defeats the purpose of the scheme and vitiates the impugned order.

17. The petitioner is accordingly entitled to the prescribed ex gratia amount. The claim had already been examined and approved in June 2021, and the subsequent rejection rests on the documentary objection considered above. No further factual inquiry is required on that

objection. A direction to reconsider the claim would only prolong payment which has remained outstanding since the death of the petitioner's husband in May 2021. A direct direction for release of the amount is therefore warranted.

18. Accordingly, the Writ Petition is allowed. The order dated 16.11.2021 passed by the District Magistrate, Sonbhadra, is quashed. The State Government, through the Relief Commissioner, Uttar Pradesh, and the District Magistrate, Sonbhadra, shall take the necessary steps to release and pay Rs.50,00,000/- (Rupees fifty lakh) to the petitioner as ex gratia assistance under the scheme within eight weeks from the date of production of a certified copy of this order. There shall be no order as to costs.

(Garima Prashad,J.) (Prakash Padia,J.)

October 26, 2026
Sachin Mishra