IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 1ST DAY OF APRIL, 2025

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

WRIT PETITION NO.200700 OF 2025 (GM-RES)

BETWEEN:

BHIMRAO
S/O. ZARAPPA,
AGE: 51 YEARS, OCC: LABOUR
R/O: ALIYABAD (J)
TQ. & DIST: BIDAR – 585 401.

…PETITIONER

(BY SRI. JAIRAJ K. BUKKA, ADVOCATE)

AND:

1. THE UNION OF INDIA
REP. BY ITS DEPUTY SECRETARY,
MINISTRY OF HEALTH &
FAMILY WELFARE, 9TH FLOOR,
CHANDRALOK BUILDING,
36- JANPATH,
NEW DELHI – 110 001.

2. THE STATE OF KARNATAKA
REP. BY ITS PRL. SECRETARY,
DEPARTMENT OF HEALTH AND
FAMILY WELFARE,
M.S. BUILDING,
BENGALURU – 560 001.

3. THE STATE OF KARNATAKA
REP. BY CHIEF SECRETARY OF
THE STATE DISASTER
MANAGEMENT COMMITTEE,
VIDHAN SOUDHA,
BANGALORE - 560 001.

Digitally signed by VARSHA N RASALKAR
Location: High Court Of Karnataka

4. THE DIRECTOR
DEPARTMENT OF HEALTH AND
FAMILY WELFARE,
AROYGA SOUDHA
BENGALURU – 560 001.

5. THE DEPUTY COMMISSIONER,
CHAIRPERSON OF DISTRICT DISASTER
MANAGEMENT COMMITTEE,
BIDAR, TQ. & DIST. BIDAR -585 401.

6. THE DISTRICT HEALTH OFFICER
DEPARTMENT OF HEALTH AND
FAMILY WELFARE
BIDAR – 585 401.

…RESPONDENTS

(BY SRI. SUDHIRSINGH R. VIJAPUR, DSGI FOR R1;
SRI. MALLIKARJUN SAHUKAR, AGA FOR R2 TO R6)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE WRIT IN NATURE OF MANDAMUS DIRECTING THE 1ST RESPONDENT TO CONSIDER REPRESENTATION OF THE 4TH RESPONDENT OF DATED 10.01.2024 VIDE ANNEXURE-S IN THE INTEREST OF JUSTICE AND EQUITY AND ISSUE A WRIT IN NATURE OF MANDAMUS DIRECTING THE 1ST RESPONDENT TO DISBURSE THE CLAIM UNDER THE PRADHAN MANTRI GRAMIN KALYAN PACKAGE INSURANCE SCHEME OF HEALTH WORKERS WITHIN THE OUTER LIMIT OF 4 WEEKS, IN THE INTEREST OF JUSTICE AND EQUITY AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

ORAL ORDER

(PER: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA)

Heard Sri.Jairaj K.Bukka, who appears through video conference and represents petitioner. Also heard Sri.Sudhirsingh R.Vijapur, learned Deputy Solicitor General of India who represents respondent No.1. Learned Additional Government Advocate represents respondent Nos.2 to 6.

2. Learned counsel for the petitioner submits that the wife of the petitioner worked as Asha Karyakarta at Taluk Primary Health Center, Andoor. She worked as Asha worker at Bidar Taluk in the year 2020 and she also attended Covid-19 pandemic cases. She was attacked with corona virus while performing the duties as such and ultimately, she died on 30.04.2021. Thereafter, the petitioner filed an application before respondent No.6 seeking release of service benefits. He also submitted a representation to respondent No.5. However, the

petitioner did not receive any benefits till now. Therefore, he filed present writ petition seeking appropriate relief.

3. Learned counsel also states that a letter was addressed by respondent No.4 i.e., the Director, Department of Health and Family Welfare, Bengaluru to the respondent No.1 to condone delay in submission of claim and accept the same and in case, the said request is considered, the claim of the petitioner will be settled.

4. Sri. Sudhirsingh R.Vijapur, learned Deputy Solicitor General of India submits that the letter addressed by the respondent No.4 will be considered.

5. As per the material available on record, the letter in question was addressed by respondent No.4 to respondent No.1 on 12.01.2024, why said letter is kept pending without giving any response is not known. Having considered the justification in the relief sought for, this Court considers desirable to pass appropriate orders. Therefore, the writ petition is disposed of with the following:

ORDER

i. Respondent No.1 Deputy Secretary, Ministry of Health and Family Welfare, New Delhi, is directed to consider the letter that was addressed by the respondent No.4, the Director, Department of Health and Family Welfare, Bengaluru, and give appropriate reply to the same within a period of two weeks from the date of receipt of copy of this order.

ii. Copy of the response be communicated to the petitioner as well.

Sd/-
(Dr.CHILLAKUR SUMALATHA)
JUDGE

VNR
List No.: 1 Sl No.: 80
CT:NI