IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 17617 OF 2024

1. Vijaya Yashwant Jadhav.]
2. Sayali Yashwant Jadhav.]
3. Sahil Yashwant Jadhav.]
4. Tulsabai Khandu Jadhav.] **...Petitioners.**

Versus

1. Block Development Officer, Karveer Panchayat Samittee, Kolhapur.]
2. Chief Executive Officer, Zilla Parishad, Kolhapur.]
3. Divisional Commissioner, Pune Division, Pune.]
4. State of Maharashtra, through Additional Chief Secretary, Rural Development Department.]
5. State of Maharashtra, through Additional Chief Secretary, Finance Department.] **...Respondents.**

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Mr. K. D. Indapurkar i/b Vaibhav Gaikwad and Mr. Uday Nigot for the Petitioners.
Mr. V. M. Mali, AGP for the Respondent-State.
Mr. Kedar P. Lad for the Respondent Nos. 1 and 2.

Coram : M. S. Karnik & Ajit B. Kadethankar, JJ.

Date : December 10, 2025.

Oral Judgment [Per M. S. Karnik, J.]:

1. The Petitioners, by this petition, seek relief in terms of prayer clause (b), which reads thus :

> "(b) On perusal of the same, this Hon'ble Court by an appropriate writ, order and or direction be pleased to direct the Respondent Nos. 4 and 5 to grant the benefit of Government Resolution dated 29.5.2021 passed by Respondent No. 5 and Government Resolution dated 25.4.2022 passed by Respondent No. 4 giving benefit of Insurance Cover/ Ex-gratia benefit of Rs.50 Lakhs by extending the date of 30.6.2021 till 11.7.2021 as exceptional case for death of said Yashwant Khandu Jadhav Extension Officer of Karveer Panchayat Samittee due to Covid as he contracted Covid on 16.6.2021 and was in hospital till his death."

2. Brief facts of the petition are that Petitioners are the heirs and legal representatives of one Yashwant Khandu Jadhav, who was working as Extension Officer with the Panchayat Samittee,

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Karveer. Petitioners are the wife, son and mother respectively of deceased Yashwant Jadhav. On 16th June 2021, Yashwant Jadhav contracted COVID-19 while discharging duty as a government servant. He succumbed to COVID-19 on 11th July 2021, while he was undergoing treatment in the hospital. Yashwant Jadhav was working in the office of Respondent No.1, i.e., Block Development Officer, Karveer, Panchayat Samiti, Kolhapur. Respondent No.2 is the Chief Executive Officer of Zilla Parishad. Respondent No.3 is the Divisional Commissioner, Pune Division, Pune, under whose jurisdiction the Respondent Nos.1 and 2 function.

3. In the year 2020, with the outbreak of the COVID-19 pandemic, Yashwant Jadhav, being an officer working with Respondent No.1, was entrusted with the task of finding out COVID-19 infected people, performing anti-COVID tests, and taking them to the hospital. The first COVID-19 wave was from March 2020 to the end of 2020. The Central Government implemented the scheme of insurance cover of Rs.50 lakh to the health workers, who were in direct contact and care of COVID-19 patients and who may have been at risk of being impacted by the same, which would also include accidental loss of life on account

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of contracting COVID-19. The State Government, in line of the insurance scheme framed by the Central Government, issued a Government Resolution ("**GR**" for short) dated 29th May 2020, providing insurance cover to the employees of the State Government, employees of Local Self Government bodies and employees of Public Undertakings. The benefits under the said GR applied to those who succumbed to COVID-19 till 30th September 2020. The GR was extended from 30th September 2020 to 31st December 2020 by GR dated 14th October 2020. As the COVID situation worsened, by another GR dated 14th May 2021, the benefit of insurance cover of Rs. 50 lakh under the Government Resolution dated 29th May 2020 was further extended till 30th June 2021. The said cover remained subject to the terms and conditions laid down in GR dated 29th May 2020.

4. Respondent No. 4 made GR dated 29th May 2020 applicable to all employees by Circular dated 8th July 2020. The State Government, through Respondent No. 4, decided to give the benefit of the said scheme of insurance cover to the village panchayat employees who passed away while discharging their duties during the COVID-19 pandemic up to 30th June 2021.

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5. Yashwant Jadhav was 45 years of age at the relevant time. He worked during the first wave of COVID as a frontline worker. Even during the second wave from March 2021, Yashwant continued to work as a frontline worker and hence was insured under the insurance cover scheme declared by Respondent No.4. In the second wave, Yashwant was entrusted by the Respondent No. 1 with the responsibility of implementing measures to prevent the spread of COVID-19. Yashwant was diagnosed for having contracted COVID-19 while performing his duties during the second wave. Since he tested positive, the treatment commenced. However, on 28th June 2021, his health deteriorated. On the very same day, he was shifted to Aster Hospital, Shastri Nagar, Kolhapur.

6. The Petitioners were not allowed to meet Yashwant but were informed about his health condition by the Doctors. Petitioner No. 3 also tested positive on 17th June 2021, and she was admitted to Sharanya Hospital, Kolhapur. Petitioner Nos.1 and 2 were quarantined at home as they were also found positive. Yashwant was admitted to the hospital from 16th June 2021 to 11th July 2021. Unfortunately, he passed away in the said hospital

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during the course of his treatment, on 11th July 2021.

7. It is the claim of the petitioners that, Yashwant, having discharged his duties as a Health Worker during COVID-19, is entitled to avail the benefits of the GR dated 25th April 2022. Petitioner No. 1, on 6th September 2021, applied to the Respondent No.1, requesting that Yashwant's case be recommended for grant of benefit of insurance cover to the Petitioners as his heirs. The Respondent No. 2, by the letter dated 9th May 2022, informed the Respondent No.1 that as deceased Yashwant died on 11th July 2021, i.e., after 30th June 2021, which is the cut-off date mentioned in the GR dated 25th April 2022, the proposal for the benefit of insurance cover could not be accepted.

8. Learned AGP Mr. Mali, appearing for the Respondent–State, invited our attention to the GR dated 25th April 2022. It is submitted that the claim made by the Petitioners has to be considered in terms of the said GR. It is submitted that the said GR categorically provides that the benefit of insurance cover is applicable only to those employees who died having contracted COVID-19 till 30th June 2021. It is submitted that some cut-off date has to be prescribed, and there is no infirmity in prescribing

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the said cut-off date. It is therefore submitted that the proposal has rightly been returned as the Petitioner's claim does not fall within the ambit of the GR dated 25th April 2022.

9. We have also heard Mr. Lad, learned Counsel for Zilla Parishad who supports the submissions of the learned AGP.

10. Heard learned Counsel. There is no dispute that Yashwant, being a frontline worker of Zilla Parishad during the COVID-19 pandemic, attended to the patients infected by COVID-19, helped admit them to the hospitals and being in contact with such patients, contracted COVID.

11. Let us revisit the testing times of COVID-19 pandemic. The world before the onset of COVID-19 was marked by steady progress and normalcy; life around the globe moved with a sense of stability and continuity. However, this sense of normalcy was shattered abruptly when the novel coronavirus, COVID-19, emerged and spread across the globe with alarming speed, disrupting the regular rhythm of life and placing humanity in the midst of an unprecedented public health crisis. The sudden outbreak acted like a formidable demon, disrupting lives, overwhelming the healthcare infrastructure, and inducing

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widespread fear and uncertainty. Entire economies were affected, social structures were challenged, and individuals were forced into protective isolation to safeguard their own health.

12. Amidst this global turmoil, the resilience of the human spirit was examined in a remarkable way. The general public was compelled to adopt protective measures such as wearing masks, practising sanitisation, and maintaining social distancing, thereby limiting physical contact and restricting movement. Yet, in the face of such grave danger, a category of individuals rose with extraordinary courage and unwavering dedication—our frontline workers, including healthcare professionals such as doctors, nurses, paramedics, sanitation staff, police personnel, and countless others involved in essential services, became the guardians of life during these testing times. They confronted the COVID-19 pandemic head-on, willingly exposing themselves to substantial personal risk to save others. They worked tirelessly in hospitals, quarantine centres, testing facilities, and vaccination drives. Their commitment often meant being away from families, working long hours under extreme pressure, and facing the trauma of losing patients as well as colleagues.

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13. Their role was not just a professional obligation; it was an act of selfless service. They fought not only against a microscopic enemy but also preserved the very foundation of society by ensuring the continued availability of vital healthcare and public services. When the pandemic presented a challenge of unparalleled magnitude for mankind, our frontline workers' resilience, bravery, and sacrifice became the cornerstone of the global response. Tragically, many of these bravehearts made the ultimate sacrifice; their own lives fell victim in their courageous efforts to save others. In recognising this profound sacrifice, it is a moral and societal imperative to honour frontline workers and extend necessary support to their families, especially the heirs of those who lost their lives. This is the very object of introducing the insurance scheme vide the GR dated 25th April 2022.

14. To deny or restrict the relief to those who passed away after 30th June 2021 would be contrary to the values of justice, fairness, and dignity which animate our constitutional order, and also contrary to public conscience and societal gratitude. The hardships faced by these workers and their families during the pandemic were immense and deserve recognition beyond mere

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symbolic gestures. Monetary benefits granted through a generous interpretation of the GR provide tangible relief to these families. Such an approach also sends a powerful message of societal value placed on self-sacrifice and inspires future generations to act with similar courage when called upon in the wake of testing times.

15. This would be in tune with the constitutional ethos that the State must act with sensitivity towards those who have suffered and must not allow procedural rigidity to eclipse substantive justice. It reinforces the societal acknowledgement that the courage displayed by frontline workers remains a beacon of hope in a time of despair.

16. In such view of the matter, in the present case, considering the deceased was a frontline worker who contracted COVID-19 in the course of his official duties and ultimately lost his life while serving COVID affected patients, the claim made by his legal heirs under the GR dated 25th April 2022 cannot be examined with a narrow or technical approach. The scheme is welfare-oriented and intended to support families of frontline workers who faced exceptional risks during the pandemic. Therefore, a liberal

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construction of the GR is required to ensure that the object behind issuing the said GR is fulfilled, providing some solace at least, as the loss of a family member can never be adequetely compensated.

17. In this backdrop, this petition deserves to be examined through a humanitarian lens rather than adopting a rigid or technical approach. Denying relief would be to do a disservice to the sacrifice made by the deceased in his fight against COVID-19. The GR's must receive a broad and beneficial construction, as the deceased Yashwant had admittely contracted COVID prior to 30th June 2021.

18. No doubt, GR dated 25th April 2022, if read literally, applies to those employees who died on or before 30th June 2021. However, in the present case, even before 30th June 2021, Yashwant was admitted in hospital having contracted COVID-19. The hospitalisation of Yashwant continued and in fact his health condition deteriorated since 28th June 2021 and unfortunately he passed away on 11th July 2021. In such circumstances the cut-off date i.e. 30th June 2021, as set out in the GR dated 25th April 2022 cannot be regarded as sacrosanct. This is a fit case where the

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benefit of GR dated 25th April 2022 ought to have been extended to the Petitioners.

19. Petition is therefore allowed in terms of prayer clause (b). The benefit of insurance cover be given to the Petitioners within a period of 4 weeks from today.

[Ajit B. Kadethankar, J.] **[M. S. Karnik, J.]**

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