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

+ **W.P.(C) 2691/2023 and CM APPL. 10411/2023**

MOHD. SABIR SAFI

..... Petitioner

Through: Mr. Rahul Sagar Sahay and Mr.  
Raghav Rajmalani, Advocates.

versus

GOVERNMENT OF NCT DELHI

..... Respondent

Through: Mr. Satyakam, ASC with Ms.  
Pallavi Singh, Adv. for R-1. (M:  
9643238429)

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**ORDER**

% **02.03.2023**

1. This hearing has been done through hybrid mode.

**CM APPL.10411/2023 (for exemption)**

2. Allowed, subject to all just exceptions. Application is disposed of.

**W.P.(C) 2691/2023**

3. The Petitioner in the present petition claims *ex-gratia* payment in view of the death of his wife due to COVID-19.

4. The case of the Petitioner is that he is a migrant labour from Bihar and he and his wife were residing in Delhi when she passed away on 13<sup>th</sup> January, 2022. Thereafter, he made an application for release of the *ex-gratia* payment in Bihar, which was rejected on the ground that the death took place in Delhi. Further, as the guidelines of Mukhya Mantri Yojna in Delhi, requires proof of residence in Delhi as a supporting document, the Petitioner has not been given *ex-gratia* payment from either of the States.

5. Ld. counsel for the GNCTD shall seek instructions in the matter and file a short affidavit before the next date of hearing.
6. In the meantime, it is deemed appropriate to implead the State of Bihar as Respondent No.2 in the matter. Accordingly, let the State of Bihar be served through the Standing Counsel for the State of Bihar in the Supreme Court so that the stand of the State of Bihar can be placed on record.
7. Amended memo of parties be filed within 2 weeks.
8. List on 20<sup>th</sup> July, 2023.

**PRATHIBA M. SINGH, J.**

**MARCH 2, 2023**

*dk/kt*