

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) No.34 of 2023

Smt. Namita Das (Biswas)

.....Petitioner(s).

V E R S U S

The State of Tripura and others

.....Respondent(s).

For Petitioner(s) : Mr. P. Roy Barman, Sr. Advocate,
Ms. Sutapa Deb, Advocate.

For Respondent(s) : Mr. Debalay Bhattacharya, G.A.,
Mr. Karnajit De, Addl. G.A.

HON'BLE THE CHIEF JUSTICE (ACTING)

Order

10/03/2023

Heard Mr. P. Roy Barman, learned senior counsel assisted by Ms. Sutapa Deb, learned counsel appearing for the petitioner and Mr. Debalay Bhattacharya, learned Government Advocate associated by Mr. Karnajit De, learned Additional Government Advocate appearing for the respondents-State.

2. The present writ petition has been filed under Article 226 of the Constitution of India for directing the respondents to accord sanction to the Medical Reimbursement Bill submitted by the petitioner amounting to Rs.2,48,383/- for reimbursing the expenditure incurred by

the petitioner-wife for the treatment of her husband outside the State of Tripura, i.e., at CMC, Vellore who was suffering from cancer.

3. Brief facts of the case are that the husband of the petitioner was suffering from Cancer (Ca Penis) and had undergone treatment at Agartala. But even after having surgery here at Agartala, the condition of the husband did not improve and on advice of doctor, he was taken to CMC, Vellore immediately by the petitioner-wife. Thereafter, he took treatment at CMC, Vellore and at Agartala as well but unfortunately he passed away. Before the demise of the husband of the petitioner, he submitted MR Bill for Rs.2,48,383.42/- to the Zonal Development Officer, Birchandramanu, TTAADC, South Tripura with regard to the total expenditure for his treatment for cancer at CMC, Vellore supporting all original prescriptions, vouchers, cash memos, bills, etc.; but at a later stage the District Panchayat Officer, West Tripura, Agartala rejected the MR Bill of the deceased husband by a letter dated 25th October, 2011. Being aggrieved and dissatisfied with the act of the respondents, the petitioner-wife has filed the instant petition. Hence, this case.

4. Petitioner has prayed for the following reliefs:

"(a) Issue Rule upon the Respondents to show cause as to why a Writ in the nature of Mandamus and/or any other order/orders shall not be issued whereby directing the Respondents to give the benefit of Medical reimbursement to the Petitioner in connection with the treatment of her husband, Lt. Madhu Sudhan Biswas, at Christian Medical College, Vellore.

(b) Issue Rule upon the Respondents to show cause as to why a Writ in the nature of Mandamus and/or any other order/orders shall not be issued whereby directing the Respondents to accord sanction to the Medical Reimbursement Bill submitted by the Petitioner amount to Rs.2,48,383/- for reimbursing the expenditure incurred by the Petitioner for the treatment of her husband who was suffering from cancer (Ca Penis), outside the State of Tripura, i.e., at CMC, Vellore.

(c) Issue Rule upon the Respondents to show cause as to why a Writ in the nature of Mandamus and/or any other order/orders shall not be issued whereby quashing and cancelling the letter, dated, 25.10.2011, issued by the District Panchayat Officer, West Tripura District.

(d) Make the rules absolute.

(e) Call for records.

AND

(f) Pass any further order/orders as this Hon'ble High Court considered fit and proper."

5. In view of the above, this Court directs the respondents concerned to consider the case of the petitioner in light of the new scheme for Medical Reimbursement Bill within a period of 1(one) month from the date of receipt of the copy of this order. The petitioner shall also place medical bills and any other relevant documents in support of her claim before the concerned authorities.

6. With the above directions, the instant writ petition is disposed of. Pending application(s), if any, also stands disposed of.

CHIEF JUSTICE (ACTING)

Pijush

