

HIGH COURT OF TRIPURA
_A_G_A_R_T_A_L_A_
WP(C) No.453 of 2023

Md. Abu Hossain

.....Petitioner

_V_E_R_S_U_S_

The State of Tripura & 3 Others

.....Respondents

For Petitioner(s)	:	Ms. A. Debbarma, Advocate.
For Respondent(s)	:	Mr. M. Debbarma, Addl. G.A.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

_F_I_N_A_L_O_R_D_E_R_

27/07/2023

Heard Ms. A. Debbarma, learned counsel appearing for the petitioner and Mr. M. Debbarma, learned Addl. G.A. appearing for the respondents.

The present petition has been filed under Article-226 of the Constitution of India for quashing and cancelling the letter dated 26.05.2023, issued by the Assistant IG of Police (HQR.), Tripura, by which the medical reimbursement bill was returned to the petitioner and also directing the respondents to give the benefit of medical reimbursement along with travel allowance to the petitioner in connection with the expenditure of the treatment and travelling. Further, directing the respondents to accord and sanction the medical reimbursement bill, submitted by the petitioner on 18.04.2023, amounting to Rs.2,05,762/- in total for reimbursing the expenditure incurred by the petitioner for his treatment also directing the respondents to accord and sanction the travel allowance bill submitted by the petitioner on 18.04.2023 amounting to Rs.46,100/- incurred by him for to and fro journey from Agartala to Rabindranath Tagore International Institute of Cardiac Sciences, Kolkata for his treatment.

The petitioner has prayed for the following reliefs:

“i. Issue rule upon the respondents to show cause as to why a writ in the nature of mandamus and/or order/orders and/or direction/directions of like nature shall not be issued whereby quashing and cancelling the letter, dated 26.05.2023, issued by the Assistant IG of Police (HQR.) Tripura, by which the medical reimbursement bills were returned to the petitioner.

ii. Issue rule upon the respondents to show cause as to why a writ in the nature of mandamus and/or order/orders and/or direction/directions of like nature shall not be issued whereby directing the respondents to give the benefit of medical reimbursement to the petitioner in connection with the expenditure of petitioner's treatment.

iii. Issue rule upon the respondents to show cause as to why a writ in the nature of mandamus and/or order/orders and/or direction/directions of like nature shall not be issued whereby directing the respondents to accord & sanction the medical reimbursement bill, submitted by the petitioner on 18.04.2023, amounting to Rs.2,05,762/- in total (Rs.1,96,716/- + 9046/-) for reimbursing the expenditure incurred by the petitioner for his treatment.

iv. Issue rule upon the respondents to show cause as to why a writ in the nature of mandamus and/or order/orders and/or direction/directions of like nature shall not be issued whereby directing the respondents to accord & sanction the travel allowance bill, submitted by the petitioner, on 18.04.2023, amounting to Rs.46,100/- for to and fro journey from Agartala to Rabindranath Tagore International Institute of Cardiac Sciences, Kolkata for this treatment.

v. Make the rules absolute.

vi. Call for records.”

The petitioner in t his present has prayed for necessary direction upon the respondents to release medical reimbursement bills, amounting for Rs.61,352+2,41,600+70,445 total amounting to Rs.3,73,397/- submitted by the petitioner to the Director, Directorate of Audit, Agartala, Tripura for the treatment of his father, Sri Jyotish Chandra De, who is suffering from Metastatic Carcinoma Prostate, outside the State of Tripura and also for quashing and cancelling the letter, dated 09.11.2021 issued by the Addl. Director, Directorate of Audit, Govt. of Tripura.

Hence, the present petition has been filed by the petitioner before this Court for redress.

In that view of the matter, without expressing any opinion on merits, the present writ petition is disposed of by setting aside the communication dated 26th May, 2023 issued by the Government of Tripura, Office of the Director General of Police, Agartala further, by directing the respondents to consider the case of the petitioner and release his medical bills in the light of the memorandum dated 22.12.2022 provided, there is no disputed question of claim, within a period of two months from the date of receipt of the copy of this order.

In terms of the above, the present petition stands disposed of. As a sequel, miscellaneous applications pending, if any, shall stand closed.

JUDGE

A. Ghosh

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HIGH COURT OF TRIPURA



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