

**HIGH COURT OF TRIPURA
AGARTALA
WP(C) NO.970 OF 2021**

Sri Piklu De

..... Petitioner(s).

Vs.

The State of Tripura and ors.

..... Respondent(s).

For the Petitioner(s) : Mr. P. Roy Barman, Sr. Advocate
Ms. S. Debbarman, Advocate.

For the Respondent(s) : Mr. D. Sharma, Addl. G.A.

Date of hearing and delivery of
Judgment & Order : 24.02.2023

Whether fit for reporting : YES/NO.

**HON'BLE THE CHIEF JUSTICE(ACTING)
JUDGMENT AND ORDER(ORAL)**

The case of the petitioner herein is that he has prayed for necessary direction upon the respondents to release Medical Reimbursement Bills, amounting to Rs.61,352/- + Rs.2,41,600/- + Rs.70,445/- = Rs.3,73,397/- submitted by the petitioner, on 03.03.2020, 24.03.2020 and 24.03.2020 respectively 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, (HOO)

Directorate of Audit, Govt. of Tripura wherein the claims of the petitioner herein were regretted due to non-submission of valid documents. Hence, the petitioner has filed this instant petition and 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, 09.11.2021, issued by the Addl. Director (HOO), Directorate of Audit, Govt. of Tripura.

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 the treatment of his father.

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 to the Medical reimbursement Bills, submitted by the petitioner on 03.03.2020, 24.03.2020, 24.03.2020 and amount (Rs.61,352/- + Rs.2,41,600/- + Rs.70,445/-) total amounting to Rs.Rs.3,73,397/- submitted by the petitioner, respectively 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.

iv. Make the rules absolute.

v. Call for records.

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

2. Mr. P. Roy Barman, learned Sr. counsel assisted by Ms. S. Debbarman, learned counsel appears for the petitioner as well as Mr. D. Sharma, learned Addl. G.A. appears for the respondents.

3. Ms. S. Debbarman, learned counsel appearing for the petitioner submits that her client has submitted all the relevant documents and the respondents without showing any

valid reason have denied and disputed his Medical Reimbursement Bills.

4. Heard both sides and perused the evidence on record. It is the case of the petitioner that his request for releasing his Medical Reimbursement Bills was not considered and accordingly vide communication dated 09.11.2021 it was informed to the petitioner that his claims were regretted *due to the non-submission of valid documents*. In view of the same, the petitioner is hereby given the liberty to approach the respondents to ascertain with regard to the documents which are supposed to be filed seeking medical reimbursement, and accordingly, the petitioner shall place all the relevant documents for seeking medical reimbursement including the bills. On receipt of such, it is made clear that the respondents shall consider the case of the petitioner with a pragmatic view more particularly in the light of the amendments which have been made by the Government of Tripura with regard to making Medical Reimbursement Bills. This exercise shall be completed by the respondents within a period of 1(one) month from the date of receipt of the documents from the petitioner.

5. With the above observation and direction, this instant writ petition stands disposed of. Stay order, if any, stands vacated. Pending application(s), if any also stand closed.

CHIEF JUSTICE (ACTING)

suhanjit

