

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP-15161-2013

Date of decision : 03.03.2015

JAI SINGH

...Petitioner

V/S

HPGCL ETC.

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. J. S. Hooda, Advocate
for the petitioner.

Mr. Pardeep Singh Poonia, Advocate
for the respondents.

JITENDRA CHAUHAN, J. (Oral)

The present writ petition filed under Articles 226/227 of the Constitution of India is for issuance of writ in the nature of certiorari for setting aside the order dated 20.11.2012 (Annexure P-5) vide which claim of the petitioner for reimbursement was declined.

It is contended that the petitioner who met with an accident on 16.04.2011 remained hospitalized from 16.04.2011 to 22.04.2011 and incurred expenses of Rs.42,597/- as indoor patient and subsequently the petitioner was treated at Surya Ortho & Trauma Centre, Faridabad wherein incurred expenses of Rs.26,035/-.

Learned counsel for the petitioner contends that as against the claim of the petitioner for Rs.68,632/- incurred as an indoor patient

only Rs.23,038/- was allowed. He further states that petitioner also incurred amount of Rs.18,181/- as outdoor patient and nothing has been paid in this regard.

On the other hand, learned counsel for the respondent submits petitioner had opted for Item Nos.2(i) and 4 from the office order No.440 dated 27.09.1989 (Annexure R-2/2) at the time of joining the service. He further informs that the petitioner has opted for fixed cash medical allowance and have been receiving Rs.500/- per month in terms of option exercised by him.

Therefore, he is not entitled to the encashment of medical expenses incurred as an outdoor patient. However, the entire due incurred by the petitioner has been paid as per the PGI rates. This factum is not disputed by the learned counsel for the petitioner.

Consequently, the petitioner stands paid the entire treatment expenses as an indoor patient at PGI rates and the petitioner is not entitled to reimbursement of expenses incurred as outdoor patient in terms of abovesaid options exercised by him (Annexure R-2/2).

In the circumstances, this present petition cannot be accepted as all the dues stands paid.

Dismissed.

03.03.2015

ashok

(JITENDRA CHAUHAN)
JUDGE