

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

Civil Revision No.841 of 2013

Date of decision : 20.05.2016

Pepsu Road Transport Company Patiala

.....Petitioner

Versus

Usha Rani and another

...Respondents

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

- 1. Whether Reporters of the local papers may be allowed to see the judgment ? Yes*
- 2. To be referred to the Reporters or not ? Yes*
- 3. Whether the judgment should be reported in the Digest? Yes*

Present: Mr. Harsh Aggarwal, Advocate for petitioner.

Mr. Manoj Dhankar, Assistant Advocate General
for the State of Haryana-respondent No.3.

DARSHAN SINGH, J.

The present revision petition has been preferred against the order dated 22.10.2012, passed by learned Motor Accidents Claims Tribunal, Sirsa (hereinafter called the 'Tribunal'), whereby the petitioner Pepsu Road Transport Company, Patiala has been directed to make the payment of the awarded amount.

2. Learned counsel for the petitioner contended that while disposing the FAO No.5387 of 2011 vide judgment dated 23.08.2011 this Court had issued directions to the Secretary (Education), Government of Haryana and District Education Officer, Sirsa to reimburse the amount or to

inform the petitioner as to under what circumstances they have not reimbursed the said amount. Learned counsel for the petitioner contended that as per service rules medical reimbursement was admissible to the claimant as she was the employee of Education Department and the said amount is to be deducted from the amount of compensation.

3. I have duly considered the aforesaid contentions.

4. Learned Assistant Advocate General for the State of Haryana- respondent No.3 has placed on file the letter Memo No.E-III-2016/MR/463-64 dated 31.03.2016 received from the District Elementary Education Officer, Sirsa, which shows that claimant Smt. Usha Rani has not claimed any type of medical reimbursement from that office, so there was no question of any payment at all in the absence of her claim. This letter shows that the claimant has not claimed any medical reimbursement from her employer. There is no statutory provision that a government employee while claiming compensation under the provisions of the Motor Vehicles Act, 1988 on account of the injuries suffered by him has to obtain the medical reimbursement from his employer. So, the petitioner cannot insist that the claimant should have claimed the medical reimbursement from her department and then that amount should have been deducted from the amount awarded. While disposing FAO No.5387 of 2011, this Court has also mentioned that if the amount is not reimbursed certainly the Pepsu Road Transport Company, Patiala is to pay the same. So, it is the liability of the petitioner to pay the amount of compensation to the claimant as per the award.

5. Thus, the present revision petition being devoid of any merit,
is hereby dismissed.

20.05.2016

sunil yadav

**(DARSHAN SINGH)
JUDGE**