

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

Civil Writ Petition No.12864 of 2015

Date of Decision: April 05, 2016

Rajender Singh

...Petitioner

Versus

State of Haryana & Anr.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr.Jai Vir Yadav, Advocate,
for the petitioner.

Mr.Hitesh Pandit, Addl.AG, Haryana.

Ritu Bahri, J.(Oral)

The petitioner is seeking the quashing of order dated 20.01.2015 (Annexure P-4) whereby respondent No.2 has rejected the claim of reimbursement of the medical expenses of the petitioner on the ground that being time barred. The petitioner has placed on record instructions dated 11.12.2003 (Annexure P-6) which regulate the time period for preferring the claim for reimbursement. In these instructions, it has been decided that the sanction of medical claims be submitted after six months and within 12 months from the date of completion of the treatment to the Secretary, Administrative Department and the medical claim submitted after a period of 12 months from the date of completion of treatment shall be referred to the

Health Department in order to curb the delay of the medical claim.

The respondent in the written statement do not dispute that the petitioner had taken treatment from the Fortis Hospital, Mohali, as indoor patient during the period 27.03.2012 to 29.03.2012 for a sum of Rs.2,85,087.54. However the medical bills have been rejected on the ground that the same have been deposited after about 02 years 03 months and 19 days without any justification.

I have heard learned counsel for the parties and with their able assistance have gone through the material available on record.

The petitioner is not claiming the reimbursement of the bills taken after 29.03.2012. However, as per the explanation (Annexure P-2) given by the petitioner, he had approached the Fortis Hospital, Mohali, till 26.06.2014 after completion of his treatment and thereafter, the bills have been submitted. A liberal approach has to be adopted in case of considering the claim of medical reimbursement which are beneficial instructions. The petitioner after completing his treatment on 26.06.2014 had submitted his bill for reimbursement on 18.09.2014 within a period of six months as per Annexure P-6 and hence, his claim could not be rejected on

the ground that it was beyond the period of 12 months from the date of completion of the treatment which as per the respondents after his treatment was completed on 29.03.2012, the date of discharge.

Accordingly, the writ petition is allowed. The order dated 20.01.2015 is set aside. The respondents are directed to pay the medical reimbursement for a sum of Rs.2,85,087.54 within a period of one month to the petitioner from the date of receipt of certified copy of this order.

April 05, 2016
seema

(Ritu Bahri)
Judge