

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

CWP No.8143 of 2015

Date of decision : September 23, 2016

Surjit Kalia

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Padamkant Dwivedi, Advocate for the petitioner.

Mr. Rajat Bansal, AAG, Punjab.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

Petitioner, who is Principal of Government Senior Secondary School, Khanpur, Ludhiana, has filed the present writ petition seeking reimbursement of medical claim for the treatment taken abroad, which was rejected vide order dated 01.12.2014 (Annexure P-4)

Petitioner after getting ex-India leave from the Departmental visited Canada from 02.08.2012 to 02.10.2012. While in Canada, he fell ill and suffered from typhoid and had to undergo treatment from 11.09.2012 to 27.09.2012. Petitioner has raised a bill amounting to ₹1,69,955.30, after converting the expenses of Canadian Dollar into Indian Rupees.

The State has declined the reimbursement of the said medical claim vide order dated 01.12.2014 (Annexure P-4) on the ground that as per the instructions dated 13.02.1995 (Annexure R-I) read with instructions dated 31.05.2000 (Annexure R-II), the patients who have taken the medical treatment while boarding abroad, the Government will not reimburse the medical bills of the same.

Petitioner has challenged the said order before this Court.

I have heard learned counsel for the parties and have also carefully gone through the case file.

A perusal of Instructions dated 31.05.2000 (Annexure R-II) makes it clear that when a Government employee/pensioner goes to any other country, he/she will not be entitled for any medical claim under the Punjab Service (Medical Attendance) Rules, 1940.

It was further advised that when an employee travels abroad, he/she should obtain the health insurance coverage. Petitioner is the Principal of the School and being the head of the School, he must be aware about the instructions when he travelled to Canada in the year 2012. Therefore, in terms of the Instructions dated 31.05.2000 (Annexure R-II), there is no illegality or infirmity in the impugned order dated 01.12.2014 (Annexure P-4).

As such the present petition is dismissed.

(KULDIP SINGH)
JUDGE

September 23, 2016

sarita

Whether speaking / reasoned Yes

Whether Reportable: No