

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

**CWP No. 1071 of 2015
DECIDED ON: AUGUST 24, 2017**

SANJAY JAIN

.....PETITIONER

VERSUS

STATE OF HARYANA & ANR

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Rajesh Lamba, Advocate
for the petitioner.

Mr. Saurabh Girdhar, AAG, Haryana.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of writ in the nature of certiorari for setting aside the part payment of the bills mentioned in the order dated November 27, 2014 (Annexure P-5) passed by Deputy Commissioner, Faridabad as well as writ in the nature of mandamus seeking direction to respondents to allow full medical reimbursement claim and sanction the balance amount of the bills detailed in para 4 of the petition with further prayer for grant of interest @ 18% p.a. on the delayed payment.

At the very outset, learned State counsel has submitted an affidavit of Dr. Satish Aggarwal, Director General Health Services, Haryana, Sector 6, Panchkula alongwith Annexure R-1 i.e. report of Board of Doctors', wherein,

the Board of Doctors' gave their opinion that the daughter of the petitioner namely Ms. Aditi Jain is suffering from chronic disease in the form of 'Epilepsy'.

Undisputably, the afore-said disease being chronic stands covered within the parameters laid down in the instructions dated May 28, 2003 (Annexure P-1). Moreover, such a question also came up for consideration before this Court in CWP No. 12239 of 2003 titled as **Santosh Kumari vs. State of Haryana & others**, decided on May 04, 2004 (Annexure P-2) as well as in CWP No. 18669 of 2014, titled as **Sanjay Jain vs. State of Haryana & another**, decided on September 09, 2014 (Annexure P-3). According to which a direction was issued that the petitioner(s) to the said case, who was suffering from a chronic disease is entitled to the entire medical bills.

Moreover, learned State counsel also fairly agrees that case of the petitioner stands covered by the observations made in the afore-said judgments.

Accordingly, instant petition is allowed and respondents are directed to pay the balance amount of bills within a period of three months from the date of receipt of certified copy of this order. If the balance payment of the bills is not released to the petitioner within a stipulated period than petitioner shall be entitled to the interest from the date of submission of bills.

AUGUST 24, 2017
sham

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*