

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.13114 of 2016 (O&M)

Date of Decision: 19.05.2017

JOGINDER KAUR

... Petitioner

V/s

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Nirmal Singh, Advocate,
for the petitioner.

Ms. Vandana Malhotra, Addl. A.G., Punjab.

KULDIP SINGH, J. (Oral)

The petitioner has preferred this writ petition under Article 226/227 of the Constitution of India praying for issuance of writ in the nature of mandamus for directing respondents for release the payment of medical reimbursement amounting to ₹2,07,147/- sanctioned vide order dated 28.08.2015 (*Annexure P-1*) by the respondent No. 2, alongwith interest.

Learned State counsel has filed an affidavit of Ms. Vini Mahajan, Principal Secretary, Department of Health and Family Welfare, Punjab, in the Court today. The same is taken on record. Bare perusal of the aforementioned affidavit shows that the payment of medical bills in respect of the petitioner was submitted on 11.09.2013 and the sanction was dispatched on 07.03.2014. However, the actual payment was made on 20.07.2016 i.e. after a delay of approximately two years and four months, from the date of sanction.

In view of the above, the petitioner is liable to interest on the delayed payment of medical bills.

In the circumstance, petition is allowed to the extent that the respondents are directed to pay interest @ 9% per annum on the delayed

CWP No.13114 of 2016 (O&M)

payment of medical bill, starting from 07.04.2014 till the date of payment i.e. 02.07.2016, after giving one month as reasonable time to make the payment after its sanction.

Before parting with the judgment it comes out that in the said affidavit it is stated that a cashless scheme was introduced by the Punjab Government in which insurance companies were to make the payment. That scheme apparently collapsed. In the circumstances, the Principal Secretary, Health and Family Welfare, Punjab, is directed to create a mechanism in which after the submission of bills for medical reimbursement, the movement of the same is monitored. In this regard, Government may issue necessary instructions as to how long a particular authority can withhold/decide the medical bills. The employee, who submits the bill, should have access to the movement of the bills so that he can oversee that his bills are being properly dealt with. It should also be ensured that medical bills are processed and payment is made within reasonable time which could vary to three to six months and ensure that the employee/retired employee gets the payment so that he can utilize the money for his further treatment or for his personal use.

May 19, 2017

Suresh Kumar

(KULDIP SINGH)
JUDGE

Whether speaking / reasoned : ✓

Yes / No

Whether Reportable :

Yes / No ✓