

CWP No.16804 of 2016

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

CWP No.16804 of 2016

DECIDED ON: SEPTEMBER 11, 2017

RASHPAL SINGH @ RACHHPAL SINGH

....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sandeep Bansal, Advocate,
for the petitioner.

Ms. Sudeepti Sharma, Addl.A.G., Punjab.

JASPAL SINGH, J (ORAL)

By virtue of instant civil writ petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ in the nature of mandamus directing the respondents to make the payment of medical reimbursement in pursuance of sanction dated 02.07.2015 granted by respondent No.2, which was on account of medical bills submitted by petitioner at the earliest with interest and damages etc. till date and also grant other reliefs.

2. In response to the notice of motion issued by this Court on 19.08.2016 and further in compliance of order dated July 10, 2017, additional affidavit of Mr. Vipul Ujwal, IAS, Deputy Commissioner, Hoshiarpur on behalf of respondents No. 1 to 3 has been furnished accompanied by ECS report of

Treasury Officer Hoshiarpur.

3. A glance at the aforesaid affidavit transpires that a sum of ₹2,29,790/- on account of medical bill has already been paid and stands deposited in the bank account of petitioner on 05.07.2017. Thus, as far as claim/relief regarding releasing the amount is concerned, has rendered infructuous but the claim of the petitioner with regard to interest on the delayed payment of the aforesaid amount still subsists.

4. Undisputably, vide order dated 02.07.2015 (Annexure P-1) passed by Commissioner Jalandhar Division, Jalandhar, sanction for the reimbursement of the aforesaid amount was accorded but despite the fact, the actual payment was not released/made to the petitioner. The entire delay in the disbursement of medical bill is attributable to the State Government and in view of Full Bench judgment of this Court in case captioned as ***“A.S. Randhawa vs. State of Punjab and others, 1997 (3) SCT 468***, the petitioner is entitled to interest at least @ 9% per annum.

5. Thus, the instant petition stands disposed of with direction to respondent No.3-Deputy Commissioner, Hoshiarpur to calculate the interest for the period 03.07.2015 to 04.07.2017 @ 9% per annum and make the payment thereof within a period of 45 days from the date of receipt of certified copy of this order.

6. However, in case, grievance of the petitioner still subsists, he shall be at liberty to approach this Court.

SEPTEMBER 11, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes***
Whether reportable ***Yes/No***