

**CWP No. 18006 of 2017
DECIDED ON: AUGUST 16, 2017**

HARBHAJAN SINGH MINOCHA

.....PETITIONER

VERSUS

INDIAN RED CROSS SOCIETY AND ANR

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Dhiraj Chawla, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226 of the Constitution of India, petitioner has sought the issuance of writ in the nature of mandamus directing the respondents to grant fixed medical allowance to the petitioner.

The main contention of learned counsel for the petitioner is that petitioner has been made reimbursement of medical bills in pursuance of letter no. 10465, dated June 20, 2012 (Annexure P-2) but the fixed medical allowance, which is @500 per month has not been released to the petitioner on account of wrong perception that the said relief is being sought with regard to OPD treatment.

Undoubtedly, at the initial stage the fixed medical allowance was introduced, which was subsequently, modified and an option was given to the

retired employees by the Haryana Government to opt either for fixed medical allowance or get reimbursement of OPD treatment. Since, the petitioner has opted for fixed medical allowance, in view of the modified policy but the said allowance is not being released to the petitioner. Even, a legal notice dated January 23, 2017 (Annexure P-7) was also served upon respondents but till date no action has been taken. Learned counsel for the petitioner further submits that petitioner feels satisfied in case a direction is issued to respondent No.2 to decide the legal notice dated January 23, 2017 (Annexure P-7) within a stipulated period.

Accordingly, instant petition is disposed of with a direction to respondent No.2 to look into the grievances unfolded by the petitioner in his legal notice dated January 23, 2017 (Annexure P-7) and to decide the same by passing a speaking order that too, by giving a patient hearing to the petitioner, within a period of three months from the date of receipt of certified copy of this order. However, if the petitioner still feels aggrieved by any order of respondent No.2, he shall be at liberty to approach this Court.

AUGUST 16, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*