

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-7114-2012 (O&M)

Date of Decision:-13.09.2017.

Tejinder Pal Kaur

.....Petitioner

Versus

Punjab & Haryana High Court and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. S.B. Kaushik, Advocate for the petitioner.

Mr. Raman B. Garg, Advocate and
Ms. Gitanjali Chhabra, Advocate for the respondents.

P.B. BAJANTHRI, J. (Oral)

Short question for consideration in the present petition is whether the petitioner who is a former employee of this Court can claim medical reimbursement on behalf of any member of her family who is an employee of the other State/Central Government or is working in any other institution or not?

Undisputedly petitioner's husband Sh. Harmesh Singh was an employee of Central Government. This Court issued a Notification on 15.4.1991 (Annexure R-6) which reads as under:-

*“HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH*

NOTIFICATION

No.163 A/CS/XXIX.Z.22 (a)

dated 15.04.91

*In Exercise of the powers conferred by
Articles 229 and 231 of the Constitution of India, read
with rule 34(1) of the High Court Establishment
(Appointment and Conditions of Service) Rules, 1973 and
all other power enabling him in this behalf, Hon'ble the*

Chief Justice has been pleased to extend the benefits of medical facilities, enjoyed by the Punjab Govt. Pensioners under instructions issued by the Punjab Govt. from time to time, to the petitioners of this Court.

The medical expenses of the pensioners of this Court retiring after 1.11.1996, will be drawn by this Court from the Punjab Treasury, and will be share subsequently by the concerned States and the same will be debitable to the head "2235-Civil Security and Welfare Rehabilitation".

BY ORDER OF HON'BLE THE CHIEF JUSTICE

Sd.-S.K. Jain
REGISTRAR

In view of the above notification for the purpose of extending medical benefits to a retired officer/employee, the Punjab Government Rules and Instructions are to be adhered. Rule 22 of Chapter III of the Punjab Service (Medical Attendance) Rules, 1940 reads as under:-

"Punjab Government employee is not entitled to claim reimbursement of medical charges in respect of any member of his family who is an employee of the other State/Central Government or is working in any other institution."

In view of the above notification read with statutory provision, petitioner has not make out a case for medical reimbursement in respect of her husband (member of the family).

Accordingly, petition stands dismissed.

(P.B. BAJANTHRI)
JUDGE

September 13, 2017.

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.s