

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

**CWP No. 20905 of 2017
DECIDED ON: OCTOBER 24, 2017**

GAMDOOR SINGH

.....PETITIONER

VERSUS

ADDITIONAL DIRECTOR GENERAL OF POLICE JAILS AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Amit Kumar Walia, Advocate
 for the petitioner.

Ms. Devaki Anand Sullar, AAG, Punjab.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226 of the Constitution of India, petitioner has sought a writ in the nature of mandamus directing the respondents to release an amount of ₹2,07,866/- sanctioned to him on account of medical reimbursement vide letter dated June 06, 2016 (P-1) along-with interest @15% per annum from the date of sanction till realization.

2. At the time of hearing on September 14, 2017, it emerged that the amount on account of medical reimbursement was already sanctioned by the authorities vide letter dated June 06, 2016 (P-1). Due to paucity of funds the payment was not made. However, in compliance of order dated September 14, 2017, Mr. Kulwant Singh, PPS, Superintendent, District Jail Nabha is present and has submitted that the payment of the amount in question on account of

medical claim of the petitioner has already been disbursed to him on October 04, 2017. In this context he has referred to letter dated October 04, 2017 (R-1). Reply filed on behalf of respondents No.1 and 3 by way of an affidavit of Kulwant Singh, PPS, Superintendent, District Jail Nabha, is taken on record subject to all just exceptions.

3. A glance at the afore-said reply transpires that the claim with regard to the disbursement of medical reimbursement bills of the petitioner has already been satisfied. However, there is a delay in making the payment thereof, and in this connection, it can be said that fault solely lies with respondent-State of Punjab, as it did not make the arrangements of the necessary funds. Moreover, the petitioner was also deprived of the amount for a period approximately 1 ½ year and as such, respondents are liable to pay the interest.

4. Accordingly, instant petition is dismissed as having been rendered infructuous so far as it relates to the disbursement of medical claim. However, it stands allowed as far as grant of interest is concerned. Respondents are directed to pay interest @9% per annum on the delayed payment, which shall be calculated after three months from the date of submission of medical bills till its actual realization. The necessary payment shall be made to the petitioner within a period of two months from the date of receipt of certified copy of this order.

OCTOBER 24, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*