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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 8551/2015**
P D GUPTA

..... Petitioner

Through: In person

versus

GOVT OF NCT OF DELHI & ORS.

..... Respondent

Through: Mr. Gautam Narayan, ASC with Mr.
R.A. Iyer, Adv. for R-1 & 2
Mr. Sanjay Dewan, Adv. with
Ms. Palak Rohmetra, Adv. for R-3

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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05.07.2017

1. This is a petition filed by the petitioner inter-alia praying for a direction that the respondents should make the balance payment on account of two medical bills dated March 28, 2014 and August 04, 2014 submitted by the petitioner. These two bills are for the initial treatment and for follow up.
2. There is no dispute that the petitioner had undertaken a treatment in B.L.K. Hospital, New Delhi in an emergency condition on May 15, 2013. The total reimbursement claimed by the petitioner from the department was Rs.3,85,295/-. It is a conceded position that the petitioner was paid an

amount of Rs.2,75,263/- in the month of July, 2014. Suffice to state, that an amount of Rs.98,000/- was not paid by the respondent No.3. It appears that the petitioner has filed a complaint before the Public Grievance Committee. Pursuant thereto, the matter was referred to the Technical Standing Committee for reconsideration. The Technical Standing Committee has recommended the reimbursement of the complete amount.

3. It is the submission of Mr. P.D. Gupta, the petitioner who appears in person that in terms of the instructions, the respondents were required to refer the matter to the Technical Standing Committee at the first instance. The reference to the said Committee after he has filed a complaint, has resulted in the delay of payment. It is his case that even after filing of the writ petition, the respondents have contested the claim of the petitioner of Rs.98,000/- as well. He states that an amount of Rs.98,000/- was released to the petitioner in the month of February, 2017 only at the intervention of this Court, when the Court had directed affidavits be filed. He prays for interest on the delayed payments as well as Costs of the proceedings.

4. Mr. Gautam Narayan, learned counsel for the respondents 1 and 2 states that the case of the petitioner was not as per the Rules and relaxation was to be granted. The delay, if any has occurred because of the process

need to be followed by the respondents. He also states that the bill dated August 04, 2014 for an amount of Rs.23,716/- has been approved by the Authorities and the sanction order in that regard has been issued and the said amount shall be paid at the earliest. This aspect is not disputed by Mr. Gupta.

5. Having heard the petitioner and the learned counsel for the respondents, I note that the recommendation of the Technical Standing Committee was of the year 2015. The petition has been filed on August 7, 2015. Despite a favourable recommendation, the respondents still contested the claim of the petitioner qua Rs.98,000/-. In any case, the said amount has been paid to the petitioner in the month of February, 2017. There has been delay of approximately two years in payment of the said amount. To put quietus to the litigation and to meet the ends of justice, in the facts of this case, this Court is of the view that the petitioner shall be entitled to interest @ 9% per annum on Rs.98,000/-, w.e.f March, 2015 till February, 2017. The interest and the amount of Rs.23,193/- shall be released to the petitioner within four weeks from today. The petition is disposed of. No costs.

V. KAMESWAR RAO, J

JULY 05, 2017/ak