

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.2116 OF 2016
DECIDED ON: JULY 02, 2018

HARI SINGH

.....PETITIONER

VERSUS

STATE OF HARYANA AND ANR.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. I.D. Singla, Advocate,
for the petitioner.

JASPAL SINGH, J.

By virtue of instant 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 reimburse the full amount of Rs.3,27,184/- in stead of making payment of truncated amount of Rs.2,05,000/-, totalling Rs.2,36,628/-.

2. While assailing the impugned in action of the respondents, it has been submitted by learned counsel for the petitioner that no doubt, medical facilities were availed by the petitioner for the treatment of his wife from Medanta the Medicity Hospital, Gurgaon, which was neither on the panel nor approved one. However, as per instructions issued by State of Haryana time to time and particularly instructions issued by Government of Haryana, Health Department on 06.05.2005 (R-1), petitioner is entitled to reimbursement of

amount as per norms fixed by the Govt. i.e. PGI/AIIMS rate plus 75% of the balance amount.

3. There is a categoric stand taken by the respondents in the written statement, which has also been reiterated by Additional Advocate General Haryana that in compliance of aforesaid instructions dated 06.05.2005 (R-1), amount has been calculated as per Annexure R-2 and strictly in accordance thereof, the payment of Rs.2,36,628/- has already been released and disbursed to the petitioner. The payment of the aforesaid sum of Rs.2,36,628/- has admittedly been received by the petitioner against a bill for a sum of Rs.3,27,184.

4. Since, the amount has already been calculated and paid as per PGI rates + 75% of the balance amount as is evident from the calculation sheet (R-2), instant petition has rendered infructuous. The relief, to which, the petitioner is legally entitled has already been satisfied and paid to him. No cause of action survives.

5. Dismissed as having been rendered infructuous.

JULY 02, 2018
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(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>