

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA-1148-2016 (O&M)

Date of Decision: September 12, 2018

State of Haryana and others

.....Appellants

Versus

Smt.Mukta Goyal

.....Respondent

CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr.Sandeep Moudgil, Addl.AG, Haryana for the appellants.

Mr.K.L.Dhingra, Advocate for the respondent.

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SURYA KANT, J.(ORAL)

This instant Intra Court appeal assails the order dated 10.07.2015 whereby the learned Single Judge has accepted the claim for full medical reimbursement put forth by the respondent. Learned Single Judge has held that the respondent was entitled to claim full reimbursement in view of an earlier Division Bench judgment of this Court in CWP-8280-2003, decided on 16.09.2004 (**Nasib Singh vs State of Haryana and others**), which has attained finality and which was rendered in identical circumstances.

[2] The instant appeal is accompanied with an application for condonation of delay of 210 days.

[3] We have perused the application and heard learned counsel for the parties.

[4] The averments made in the application are totally vague and

evasive. Except disclosing the date when the legal opinion was given by the LR, Haryana, recommending to file the appeal, the application is conspicuously silent as to why so much time was taken to file the appeal when the prescribed time limit is 30 days only.

[5] The application is, thus, dismissed. The appeal is bound to fail on this score alone. There is yet another reason to dismiss the appeal. Learned counsel for the respondent informed the Court on May 11, 2018 that the amount of medical reimbursement has been already released to her before filing this appeal. If that is so, the question of law, if any, sought to be raised in this appeal is kept open and the appeal besides on the ground of limitation, is dismissed as having been rendered infructuous.

(SURYA KANT)
JUDGE

September 12, 2018
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(SUDIP AHLUWALIA)
JUDGE

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |