

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-4094-2015

Date of decision: - 24.01.2019

Suneel Kumar Gulati

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Marinal Sharma, Advocate
for Mr. Gitish Bhardwaj, Advocate,
for the petitioner.

Mr. Mehardeep Singh, Additional Advocate General, Punjab.

Mr. Harish Mehta, Advocate
for Mr. Athar Ahmed, Advocate,
for respondents No.4 and 5.

HARSIMRAN SINGH SETHI, J. (ORAL)

Counsel for the parties agree that the medical bills have
already been reimbursed to the petitioner.

Counsel for the petitioner states that the petitioner is entitled
for the interest for delay in payment of the reimbursement amount.

It is settled principle of law settled by the Hon'ble Supreme
Court in case **Om Prakash Gargi Vs. State of Punjab and others, 1996**
(11) SCC 399 that no interest can be paid on the medical reimbursement
as the same is a concession. The relevant part of the said judgment is as
under: -

“The question is: Whether on account of delay in

reimbursing the amount incurred towards medical expenses, the State should be liable to pay also interest on the delayed payment? We are of the view that it is inexpedient and not proper to direct the State to pay interest for delay in payment of the reimbursement amount. It requires verification of the amounts spent by the petitioner and similar person. His right only is to get reimbursement and it does not follow that for the delay in the payment of medical reimbursement, he should also be entitled to interest thereon. The order passed by this Court on an earlier occasion was to the effect of dismissing the special leave petition in limine. Under these circumstances, we do not think that it would be proper to direct payment of interest on the delayed reimbursement of the medical expenses incurred by a Government servant.”

In view of the above, no further orders are required to be passed in the present writ petition and accordingly, the same is hereby disposed of.

January 24, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes
No