

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

(211)

CWP-9241-2014

Date of Decision: March 05, 2019

Birbal Sharma

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sandeep Goyal, Advocate, for the petitioner.

Mr. Charanjit Singh Bakhshi, Addl. A.G., Haryana.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the petitioner is seeking the reimbursement of the medical expenses.

The claim has been rejected on the ground that the petitioner was getting fixed medical allowances and therefore, he was not entitled for the medical reimbursement. Further, the objection was taken that the certificate of the chronic disease was taken on a later date than the medical treatment was undertaken. Further, till the death, the petitioner was only eligible for fixed medical reimbursement and not the open medical reimbursement for which the petitioner never applied for.

The petitioner has already died and therefore, at this stage, no further order can be passed in respect of the entitlement of the petitioner for the open medical reimbursement keeping in view the disputed questions of facts.

Keeping in view the above, learned counsel for the petitioner states that he be allowed to withdraw the present writ petition to avail the

other remedies available to the petitioner/legal heirs of the deceased.

Dismissed as withdrawn with liberty as prayed for.

March 05, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned: Yes
Whether reportable: No