

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CWP No.38133 of 2018

Date of decision:-14.01.2019

Jaswinder Singh

.....Petitioner

versus

State of Punjab and ors.

.....Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. H.K. Brinda, Advocate for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL)

As per pleadings on record the petitioner is a practising Advocate based at Rupnagar and underwent medical treatment and in which he had to spent a sum of rupees six lacs approximately.

Placed on record at Annexures P-6 to P-10-A as also Annexure P13 are the various bills, payments made, medical record as also the disability certificate issued in favour of the petitioner.

The instant petition has been filed seeking a mandamus, directing the Bar Council of Punjab, Haryana and UT Chandigarh to reimburse the amount that has been spent by the petitioner on his medical treatment through the trustee committee of the Punjab Advocate Welfare Fund (Respondents No.2 and 3)

Counsel for the petitioner has been heard at length.

Counsel while pressing for the relief sought has adverted to the Punjab Advocates Welfare Fund Act 2002. Section 13 of the Act envisages framing of schemes at the hands of the trustee committee in consultation with the bar council for various kind of benefits to percolate

to the advocates enrolled as members. Section 13 (e) in particular relates to medical insurance of the advocates.

On a specific query having been put it has been conceded that till date no scheme under Section 13 of 2002 Act, has been framed.

In the absence of any scheme, the prayer raised in the instant petition cannot be accepted.

Faced with such a situation, counsel prays for withdrawal of the instant writ petition with liberty to file a petition with better particulars and for seeking appropriate relief to enforce the mandate of 2002 Act.

Disposed of as withdrawn.

(TEJINDER SINGH DHINDSA)
JUDGE

14.01.2019

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No