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HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5765 of 2021

Karan Singh Chandrakar S/o Shri Yuvraj Chandrakar, Aged About 56 Years R/o Vijau Chaowk Changorabhatha, Raipur District Raipur Chhattisgarh.

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary Department Of Education, Mantralaya, Rakhi, New Raipur, District Raipur Chhattisgarh
2. The Managing Director, State Project Office, Holistic Education, Office At Second Floor, C.G. Madhyamik Shiksha Mandal, Pension Bada, Raipur, District-Raipur Chhattisgarh
3. Director Department Of Medical Education D.K.S. Bhavan Parisar, Raipur, District Raipur Chhattisgarh
4. Chief Medical Officer Office At-Pandri, Raipur District Raipur (C.G).

---- **Respondents**

For Petitioner:	: Shri Mayank Chandrakar, Adv..
For the State/Respondents:	: Ms. Beenu Sharma, P.L.

Single Bench: Hon'ble Shri Sanjay S. Agrawal, J
Order On Board

30.11.2021

1. The grievance of the petitioner is to the inaction on the part of the Respondent Authorities in not taking decision despite the issuance of the Departmental Certificate (Annexure P-3) by Respondent No.2-The Managing Director, State Project Office, office of Holistic Education, which was passed on 15.07.2020.
2. It is pleaded by the petitioner that he is the employee of Respondent No.2 department and performing his duties as Assistant Programme Coordinator, Holistic Education Mission at Raipur and, due to mouth infection, he approached the concerned doctor, who in turn informed that the petitioner has to undergo for surgery. As per his advice, the

petitioner has undergone treatment at Jain Dental Clinic, New Rajendra Nagar, Raipur, which is a private hospital and that after completion of his treatment, he had produced all the medical bills amounting to Rs.2,01,975/-, as per rules known as *Chhattisgarh Civil Services (Medical Attendance) Rules, 2013*, which prescribe that if the Government Employee undergone medical treatment, then he is entitled for reimbursement of the medical bills. It is contended further that after receiving the said medical claim, Respondent No.2 has issued a Departmental Certificate (Annexure P-3) on 15.07.2020, whereby it has been found that the petitioner is entitled to a sum of Rs.90,920/- in this regard, and the same was accordingly forwarded to Respondent No.3-Director Department of Medical Education, who in turn, vide letter dated 10.02.2021 (Annexure P-5) has referred the same to the Respondent No.2 with a direction to act as per the aforesaid Rules 2013. It is contended further that despite the issuance of the said Departmental Certificate (Annexure P-3) and also the issuance of said specific direction the requisite amount of Rs.90,920/- has not been released till date. Counsel for the Petitioner therefore, prays for a direction to the concerned Authorities for releasing of his claim as accepted and contained in the said Departmental Certificate (Annexure P-3).

3. In view of above, the Court feels that no fruitful purpose would be served in keeping the petition pending as it can be disposed of at this stage itself. Accordingly, this petition is disposed of by directing the Respondent No.2- The Managing Director, State Project Office, Holistic Education/concerned authorities to take an appropriate decision based

upon the said certificate (Annexure P-3) and also as ordered by Respondent No.3 in this regard, within a period of 45 days from the date of communication of the order of this Court. It is, however, made clear that while disposing of this writ petition, I have not expressed any opinion on the merits of the case and concerned Authority shall decide the same in accordance with law.

4. With the aforesaid observation, the petition stands disposed of.

Sd/-
(Sanjay S. Agrawal)
JUDGE

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