

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

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CWP No.5394 of 2022 (O&M)
DATE OF DECISION : 17th MARCH, 2022

Manisha

.... Petitioner

Versus

State of Haryana & others

.... Respondents

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : Ms. Shelja Sharma, Advocate for
Mr. S. S. Sahu, Advocate for the petitioner.

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RAJBIR SEHRAWAT, J. (Oral)

The petitioner has filed this petition under Articles 226 & 227 of the Constitution of India, praying for issuance of a writ in the nature of certiorari for quashing the action of the respondents for non-issuance of medical bills as per Para No.2 (C-IX) of the Haryana Government Policy dated 14.07.2020; and further, for making payment of amount of medical reimbursement, along with certain other prayers.

It is submitted by counsel for the petitioner that the husband of the petitioner had taken treatment from respondent No.7-Max Super Specialty Hospital, New Delhi (in short, Max Hospital) and he remained as indoor patient while obtaining treatment under renal transplant recipient package. In the said treatment he had to stay in hospital for 22 days. When the bills were submitted to the official respondent authorities then the objection was raised by the official-respondents that as per the policy; the reimbursement is available for indoor treatment for 10 days, under the package policy and that if the stay in the hospital is more than 10 days, then separate bill for the over-stay period has to be provided.

Pursuant to the said objection of the respondent authorities, the petitioner had applied to respondent No.7-Max Hospital for providing her separate bill, one for 10 days and another for the over stay period. However, respondent No.7-Max Hospital has given in writing vide Annexure P-6 that as per their policy the said hospital cannot provide two separate bills.

In view of the above, there does not appear any fault on the part of the petitioner. Let her case be considered by the respondent authorities for reimbursing the expenses of the treatment of her husband, as per their policy without insisting upon separate bills.

However, respondent-State is directed to de-list the respondent No.7-Max Hospital from the approved hospitals, lest the beneficiaries like the petitioner should be forced to suffer on account of policy of the hospital being directly in conflict with the policy of the State Government.

Let the necessary exercise qua reimbursing the bill of the petitioner and also for taking necessary action for removal of the name of the hospital from the list of approved hospitals be completed within a period of two months from the date of receipt of the certified copy of this order.

The petition stands disposed of with the aforesaid direction.

17TH MARCH, 2022
'raj'

(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned:

Yes

No

Whether Reportable:

Yes

No