

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

CWP No. 8347 of 2022

Date of Decision: 11.05.2022

Suman Devi

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Lokesh Sharma, Advocate,
for the petitioner.
Mr. Pankaj Middha, Addl. AG, Haryana.

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of writ in the nature of mandamus directing the respondents to allow the petitioner to join her duties as Class-IV employee. She seeks benefit of judgment/order dated 13.01.2015 (Annexure P-16) rendered by this Court in CWP No. 18507 of 2013. Further prayer has been made to decide the medical reimbursement claim of the petitioner amounting to Rs.2,44,375/- under the provisions of Employees' State Insurance Act, 1948(hereinafter referred to as "the Act") and the regulations (Annexure P-4).

2. Petitioner, at the relevant time, was working as Attendant on Class-IV post at Civil Hospital, Rohtak on contract basis since 22.03.2013. Being registered with ESIC authorities and she was entitled for medical benefits under the Act. She contracted an infection in the year 2017 and was later diagnosed with Infective lymphedema right lower limb grade-4. She was operated in emergency on 13.08.2021 for lupho-veno anastomosis at right mid leg level with free microvascular left supraclavicular lymph-node transfer to right groin region.

3. Petitioner was discharged from hospital on 16.08.2021. She submitted medical reimbursement bills amounting to Rs.2,44,375/- but the same has not been reimbursed to her till date.

4. In the premise, she submitted representation dated 28.09.2021 (Annexure P-10) followed by another representation/joining letter dated 13.01.2022 (Annexure P-12) and demand notice dated 27.01.2022 (Annexure P-13) but the same have not been adverted till date. Hence, the petition.

5. On advance service, learned state counsel appears and submits that a decision will be taken by competent authority, either way, on the pending demand notice dated 27.01.2022 (Annexure P-13) by passing a speaking order.

6. At this stage, learned counsel for the petitioner also seeks decision on the pending representation/notice as suggested by learned State counsel.

7. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

8. Without commenting on the merits of the case, the instant writ petition is disposed of with a direction to the respondents to look into the demand notice dated 27.01.2022 (Annexure P-13) of the petitioner and pass an administrative order, in accordance with law.

9. Let the needful be done within two months from today.

10. Disposed of.

MAY 11, 2022
Shalini

(ARUN MONGA)
JUDGE

Whether speaking/reasoned :
Whether reportable :

Yes/No
Yes/No