

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-16619-2016

Date of Decision: 17.05.2022

Mahender Singh Hooda

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Dinesh Arora, Advocate,
for the petitioner.

Mr. Harish Rathee, Deputy Advocate General, Haryana,
for the respondents.

RAJBIR SEHRAWAT, J. (ORAL)

This is a petition filed under Articles 226/227 of the Constitution of India seeking issuance of a writ of certiorari quashing the letter dated 15.12.2015 (Annexure P-5) passed by respondent No.2, whereby the medical bill claim of the petitioner has been partly sanctioned; as also quashing of the letters dated 24.06.2013 (Annexure P-9 and 13.08.2005 (Annexure P-10) and issuance of a writ of mandamus seeking direction to the respondents to make 100% payment of the medical bills claim submitted by the petitioner alongwith interest from the date of submission of bills.

A perusal of the written statement filed by the respondents clearly shows that the amount had been paid to the petitioner strictly as per the policy, which mandates that in case of the approved hospitals, the petitioner would be entitled to receive reimbursement at the rate of the PGIMER, Chandigarh, plus 75% of the balance amount. By raising the

calculation, accordingly, the petitioner has been paid an amount of Rs.3,13,192/-.

Learned counsel for the petitioner has not disputed the aforesaid calculation, however, he has submitted that since the treatment was from an approved hospital, therefore, the petitioner should have reimbursed the entire amount of medical bills. However, this Court does not find any substance in the same. The petitioner is granted reimbursement under the policy issued by the competent authority. He can be paid only that amount which is permissible under the policy. If the petitioner is aggrieved of the policy as such, he may have any other remedy to question the policy as such, however, so long as the policy is in existence, the same has to be followed, particularly, when the issue involves the financial aspects.

In view of the above, finding no merit in the present petition, the same is dismissed.

(RAJBIR SEHRAWAT)
JUDGE

17.05.2022
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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No