

BHUPINDER SINGH

.....Petitioner

Versus

STATE OF PUNJAB AND ORS.

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWATPresent: Mr. S.K. Rattan, Advocate,
for the petitioner.

Ms. Harsimrat Rai, Deputy Advocate General, Punjab.

RAJBIR SEHRAWAT, J. (ORAL)

This is a petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to pay the interest @ 12% p.a. on delayed amount of reimbursement expenses/bills amounting to Rs.4,57,861/- sanctioned by respondent No.2 vide letter dated 30.11.2016 and released vide letter dated 30.01.2018 after issuance of legal notice dated 12.01.2018 (Annexure P-2).

The claim raised in the present petition itself shows that the claim in the petition is only qua the interest on delayed payment of medical bills, the amount of which already stands paid to the petitioner. Accordingly, the claim of the petitioner is only a money claim for which no rules, regulations or instructions have been mentioned in the writ petition. Therefore, this Court does not find anything to interfere in the matter. Accordingly, the present petition is dismissed.

However, the petitioner would be at liberty to file a civil suit on the same cause of action, but strictly in accordance with the law.

It is further ordered that in case the civil suit is filed by the petitioner within a period of two months from today, then the period during which the present petition remained pending before this Court, is ordered to be excluded while calculating the limitation period for filing the suit.

(RAJBIR SEHRAWAT)
JUDGE

08.08.2022
sandeep

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No