

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

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**CWP No.22020 of 2022
Date of decision: 23.09.2022**

Santosh Kumar

...Petitioner

V/s

The State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Hari Om Sharma, Advocate for the petitioner.

VIKAS SURI, J. (Oral)

The grievance raised in the present petition filed under Article 226/227 of the Constitution of India lies in a narrow compass. The petitioner is a retired employee, who seeks reimbursement of transport allowance of his spouse for having travelled for medical treatment. Reliance is placed on the instructions dated 25.06.2001 (Annexure P-5), operative part of which reads as:

“I am directed to address you and to bring to your notice that from time to time departments are seeking clarification that what will be entitlement to the Retired Employees and their dependent members for reimbursement of funds spent on journey for medical treatment. In this regard after consideration this matter, it has been decided by the Government that for medical treatment of the pensioner, they will be entitled for Rail/Bus facility as per their retirement status and accordingly their dependents shall also be entitled for this facility, and shall be treated their entitlement.”

Mr. Rajesh Mehta, Addl. A.G. Punjab, has put in appearance and assisted the Court as a copy of the petition was supplied to him in

advance and on instructions submits that the Department would reconsider the matter in view of the aforenoticed instructions and the impugned order dated 09.08.2022 (Annexure P-8) be deemed as withdrawn.

Heard learned counsel for the parties.

In view of the above, this petition is disposed of in terms of the submissions noticed hereinabove. Respondent No.3/Competent Authority is directed to consider the matter afresh and decide the issue in accordance with law, by passing a speaking order within a period of four weeks from the date of receipt of certified copy of this order.

Needless to observe that in case, after the decision, petitioner is found entitled for any benefits, the same be paid to him within a period of two weeks thereafter, as per law.

The petition stands disposed of in the aforesaid terms.

(VIKAS SURI)
JUDGE

September 23, 2022
Kapil

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No