

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(105)

CM-5406-CWP-2022 in/and
CWP-6390-2018

Date of Decision : July 18, 2022

Santosh Gupta

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Amit Kaith, Advocate, for the applicant-petitioner.

Mr. Harish Nain, Assistant Advocate General, Haryana.

Mr. Rajeev Anand, Advocate, for respondent No.3.

HARSIMRAN SINGH SETHI J. (ORAL)

CM-5406-CWP-2022

Present application has been filed for recalling the order dated 17.03.2022 by which the present writ petition was dismissed in default for non-prosecution.

Notice of the application to the counsel opposite.

Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondents-State and Mr. Rajeev Anand, Advocate, who is also present in the Court, accepts notice on behalf of respondent No.3. They raise no objection for the grant of prayer as raised in the present application.

Keeping in view the averments made in the application, which are duly supported by an affidavit, the same is allowed. The order dated 17.03.2022 is recalled and the writ petition is restored to its original number

and status.

CWP-6390-2018

Learned counsel for the petitioner submits that the impugned order, which has been challenged in the present petition, by which, the medical reimbursement has been declined, is based upon the report of the Medical Board, a copy of which has been attached as Annexure R-1 along with the reply. Learned counsel for the petitioner further submits that all the record of the petitioner was not considered by the said Medical Board before forming the opinion and therefore, the petitioner intends to approach the respondents to place his case before the Medical Board again with all the documents so that all the facts could be appreciated so as to opine the operation, which the petitioner underwent, was in emergent situation or not so as to entitle him the benefit of medical reimbursement.

Learned counsel for the respondents submits that in case, any such representation is filed by the petitioner, appropriate decision will be taken keeping in view the facts and circumstances of this case on the said representation within a period of two months of the submission of the same, if submitted by the petitioner.

Learned counsel for the petitioner submits that keeping in view the statement of the learned counsel for the respondents, he does not wish to press this petition, with liberty as prayed for.

Ordered accordingly.

July 18, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No