

07.6.2023

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WPA 12183 of 2023

M. Alankara Masilamani

Vs.

The Registrar, Visva-Bharati & Ors.

Mr. M. Dhannanajan

Mr. Santosh Kr. Chakrabarti

... For the petitioner.

Mr. Soumya Majumder

Mr. Victor Chatterjee

... For Visva-Bharati.

It is the case of the petitioner that he is an Associate Professor at Visva-Bharati. He met with a road accident in the year 2020 for which he had to be admitted to JCB Hospitals at Dindigul-1, Tamilnadu on January 01, 2020. He was ultimately discharged from the said hospital on January 17, 2020. He claimed reimbursement of his medical expenses from Visva-Bharati on September 05, 2022.

It is the grievance of the petitioner that till date the University has not reimbursed the medical expenses.

Mr. Majumder, learned advocate representing the University submits that the relevant hospital is not a hospital approved by the Union. He, however, fairly submits that in case of an emergency or any other justifiable reasons the medical bills can be reimbursed even if the concerned employee is admitted to any

hospital not listed as an empanelled hospital of the Union.

Mr. Majumder has drawn attention to this Court to Visva-Bharati Contributory Health Scheme, 2022, in particular, clauses 6 and 7 thereof.

I am of the view that the petitioner met with a road accident that potentially necessitated an emergency hospitalisation.

The University was not justified in not entertaining the claim of the petitioner solely on the ground that the relevant hospital was not approved by the Union.

In that view of the matter, the writ petition is disposed of with a direction upon Visva-Bharati to assess the medical bills submitted by the petitioner and reimburse the bills in accordance with law notwithstanding the fact that the petitioner was admitted to a hospital that was not in the approved list of the Union.

Let such exercise be completed within a period of four weeks from the date of communication of this order.

Accordingly, **WPA 12183 of 2023** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)