

THE HONOURABLE SRI JUSTICE E.V.VENUGOPAL**WRIT PETITION No.4916 of 2020****ORDER:**

1. This Writ Petition is filed under Article 226 of the Constitution of India, seeking the following relief:

“.....to issue a Writ, Order or direction more particularly one in the nature of Writ of mandamus, declaring the action of the respondents in not paying the Medical Reimbursement Bill of Rs.22,967 to the petitioner as illegal, arbitrary and against the principles of natural justice and consequently direct the respondents from 1 to 4 to pay the Medical Reimbursement Bill of the petitioner forthwith without insisting for the discharge summary certificate again for the second time and pass such other order or orders.”

2. Learned counsel for the petitioner submits that the impugned memo was issued by the 3rd respondent vide No.SE/OP/NZB/DE(T)/PO/JAO/Adm/C2/D.No.3118/17, dated 17.11.2017 requesting the 4th respondent to inform the petitioner about the remarks with regard to the medical reimbursement. But the learned counsel submits that the directions in impugned memo were not followed and accordingly the petitioner was not informed the instructions passed by 3rd respondent to 4th respondent. In any case, the learned counsel for the petitioner submits that the petitioner was treated as an outpatient and therefore the submission of discharge

summary certificate will not arise and hence seeks this Court's intervention to pass appropriate orders to release the reimbursement bills as per his entitlement.

3. On the other hand, Ms.Swapna, learned counsel representing learned standing counsel submits that the petitioner was directed to resubmit the discharge certificate to the remarks observed by the 3rd respondent, but the petitioner has chosen not to resubmit and has rushed to this Court. She also submits that it is essential to submit the discharge summary certificate in order to deal with the case of the petitioner and therefore seeks to dismiss the writ petition.

4. Learned counsel for the petitioner submits that Cataract surgery will be done as outpatient/day patient and accordingly the treatment was given and the patients were treated and therefore no discharge certificates were being issued by the hospital, where the petitioner has undergone the surgery and in the absence of issuance of discharge certificate the petitioner is not in a position to submit the discharge certificate and therefore seeks this Court's indulgence to dispense with the enclosing the discharge certificate with medical reimbursement bills.

5. In view of the submissions made by both the learned counsels, this Court is inclined to direct the respondents to process the medical reimbursement bills of the petitioner strictly in accordance with law and without insisting for discharge certificate.

6. Accordingly, the writ petition is disposed of. There shall be no order as to costs.

7. Miscellaneous application, if any pending, shall stand disposed of.

JUSTICE E.V.VENUGOPAL

Date:25.01.2023
Vsl

HONOURABLE SRI JUSTICE E.V.VENUGOPAL

2649

W.P.No.4916 of 2020

Dated:25.01.2023
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