

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

(207)

CWP-11479-2022

Date of Decision : August 25, 2023

Veena Rani**.. Petitioner****Versus****State of Haryana and others****.. Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Harshit Joon, Advocate, for
Mr. Manvender Rathi, Advocate, for the petitioner.

Mr. Harish Rathee, Sr. Deputy Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

1. Present petition has been filed claiming the complete reimbursement of the medical expenses which the petitioner has spent upon her treatment.
2. The petitioner is a retired Nursing Sister, who retired on attaining the age of superannuation on 31.08.2017. During the pandemic of Covid-19, the petitioner was hospitalized from 25.05.2021 to 29.05.2021 and during her treatment, she had incurred Rs.65,525/-, the reimbursement of which was sought by the petitioner from the respondents.
3. The respondents initially declined the reimbursement by taking a plea that the petitioner had availed cashless facility and therefore, the question of reimbursement does not arise. The said action of declining the reimbursement of the medical bill is under challenge in the present petition.

4. During the pendency of the petition, in the reply filed by the respondents, the respondents have stated that the claim of the petitioner has been considered and a sum of Rs.29,365/- has been reimbursed to the petitioner. As per the respondents, the petitioner has been given the reimbursement as per her entitlement.

5. I have heard learned counsel for the parties and have gone through the record with their able assistance.

6. Though, initially the respondents were of the view that the petitioner is not entitled for any reimbursement but during the pendency of the petition, out of the total reimbursement sought of Rs.65,525/-, a sum of Rs.29,365/- has already been reimbursed. Once a sum of Rs.29,365/- has been reimbursed, it means that the petitioner was entitled for the reimbursement.

7. The question which is left to be decided is as to on what account, the respondents have not reimbursed the total amount for which the petitioner had sought reimbursement.

8. Nothing has been mentioned in the reply as to why, while considering the claim of the petitioner for reimbursement of Rs.65,525/- only Rs.29365/- has been reimbursed. No justification has come forward for not releasing the remaining amount even in the reply.

9. Further, from the record, it is clear that the respondents are not denying the fact that the petitioner has incurred a sum of Rs.65,525/- on the medical treatment while she was admitted in the hospital starting from 25.05.2021 to 29.05.2021. Even the bill for the actual expenses incurred has also been produced before the respondents and the same has also been attached with the present petition.

10. In the absence of any valid justification brought to the notice of this Court for not releasing the full amount, keeping in view the settled principle of law that where, there is no denial by the respondents that the petitioner has incurred a particular amount on the treatment, denial to reimburse the full amount is bad, hence, this Court is of the view that the respondents are liable to be directed to reimburse the total amount of Rs.65,525 in the absence of any valid reason not to reimburse the total amount incurred by the petitioner on his treatment.

11. Let the respondents reimburse the remaining amount of Rs.36,160/- to the petitioner within a period of two months from the receipt of certified copy of this order.

12. The writ petition is allowed in above terms.

August 25, 2023
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No