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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-10820-2016 (O&M)

Date of Decision: 04.10.2023

MANJEET SINGH

.....Petitioner

V/s.

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA.

Present Mr. S.K. Rattan, Advocate,
for the petitioner.

Mr. Vishnav Gandhi, DAG, Punjab.

SANJEEV PRAKASH SHARMA, J (Oral)

1. The petitioner by way of this Writ Petition has prayed for issuance of a Writ in the nature of *mandamus* for directing the respondents to sanction the reimbursement of the medical bills incurred on the treatment of her deceased mother, Smt. Naseeb Kaur, who has retired as Centre Head Teacher from the Government Elementary School, Kachha Toba, Hoshiarpur.

2. Admittedly, the medical reimbursement bills relating to treatment of petitioner's mother who retired on 30.06.1985 have been paid belatedly. The claim was for the period 10.04.2015 to 07.05.2015 and also the expenses up to 18.06.2015 when her mother expired. The said bills were submitted for reimbursement by the petitioner on 15.07.2015, but the same were not reimbursed.

3. The respondents have stated that as the husband of the pensioner was also not alive, therefore, it was necessary to obtain a legal heir certificate from the competent authority i.e. the Deputy Commissioner,

Hoshiarpur. The petitioner has produced the legal heir certificate on 23.08.2018 and the affidavit was also filed by the other LR that the amount be paid to one of the LR on 29.08.2018. But the payment was not released and the same has been released only on 9.10.2020.

4. Keeping in view the above facts, this Court finds that there has been unnecessary delay and the reasons coming forward from the respondents for the belated reimbursement of medical bills are not satisfactory.

5. In view thereof, the Writ Petition is allowed and the respondents are directed to pay the interest @ 9% per annum on the amount paid on 09.10.2020 towards the medical reimbursement to the petitioner. The interest shall be paid from the date the respondents were provided with the surviving family members certificate i.e. 29.08.2018 upto 09.10.2020. The same shall be calculated and released to the petitioner within a period of two months.

6. All pending applications in this Writ Petition shall stand disposed of accordingly.

October 4, 2023

Ess Kay

[SANJEEV PRAKASH SHARMA]

JUDGE

Whether speaking / reasoned : *Yes/No.*

Whether Reportable : *Yes/No*