

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

(248)

CWP-18811-2021

Date of Decision : August 09, 2023

Devender Goyal

.. Petitioner

Versus

State of Haryana and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sachin Jain, Advocate, for the petitioner.

Mr. Tapan Kumar Yadav, Deputy Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

1. Present petition has been filed seeking the reimbursement of the medical bills which have been submitted in respect of the treatment undertaken by the mother of the petitioner namely Smt. Prem Lata Goyal, who was getting the family pension after the death of the father of the petitioner and was entitled for medical reimbursement of the same.

2. Learned counsel for the petitioner submits that though the medical bills were submitted but the same have been reimbursed and that too without any valid justification.

3. Upon notice of motion, the respondents have filed the reply wherein, they have submitted that as the claimant in respect of whose medical bills the reimbursement is being claimed, has already died and before the reimbursement of the same, the legal heirs have to present a certificate so that the payment could be made to the eligible legal heirs in respect of the amount spent on treatment.

4. As per the reply, as and when any medical bill will be submitted by the legal heirs along with the succession certificate, the same

will be considered and appropriate action will be taken.

5. Learned counsel for the petitioner submits that the petitioner has a Will of his mother in his favour, in respect of whom, the reimbursement of medical bill is claimed.

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

7. Once the actual person in respect of whom the medical reimbursement is claimed, is no more in this world, the legal heirs have to present the necessary documents so as to show that they are entitled for the said reimbursement after the death of the person concerned. In case the petitioner has the Will of his mother to claim the benefit, he can get a succession certificate and submit the same to the Department concerned along with the medical bills.

8. The Department has already conceded before this Court that as and when any medical bill along with the succession certificate is presented by the petitioner, the same will be considered in accordance with law and appropriate action will be taken without any delay.

9. Keeping in view the above, the present petition is disposed of with a direction to the petitioner to comply with the requirement for the release of the medical bills as being claimed by the respondent-Department and the Department is directed that in case any medical bill is submitted by the petitioner along with the required certificate, the said claim be decided within a period of eight weeks of the receipt of any such application.

August 09, 2023

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No