

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(213)

CWP No. 6847 of 2017

Date of Decision : 29.11.2023

Rishal Singh (since deceased) through his L.Rs.

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Rajesh Malik, Advocate for the petitioners.

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

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the grievance of the petitioners is that the medical bills submitted for the reimbursement are not being processed and that too without any valid justification.

2. Learned counsel for the petitioners submits that the petitioner had incurred a sum of ₹2,12,460/- while undergoing medical treatment at a hospital, named, Jaipur Golden, hence, respondents are under obligation to consider the claim of the petitioners and pass appropriate order on the medical reimbursement.

3. Learned State counsel submits that the Jaipur Golden Hospital is not an enlisted hospital so as to grant the reimbursement. Learned State counsel further submits that nothing has come on record that the medical treatment was taken in an emergent situation so that the

treatment taken in a non-enlisted hospital could be reimbursed at the PGI/AIIMS rates.

4. Learned counsel for the petitioners submits that though all the documents were submitted to show that the treatment taken in the hospital was in emergency, which is clear from the fact that even the hospital had given a certificate that the treatment needed by the petitioner Rishal Singh (since deceased) was in emergent situation but no action is being taken by the respondents. Learned counsel further submits that even though the petitioner has unfortunately died but his family/legal heirs can again submit all the medical history along with Bills of the petitioner Rishal Singh (since deceased) including the treatment undertaken for which reimbursement is being sought before the authorities concerned so as to form an opinion whether, the treatment taken was in emergent situation or not.

5. Learned State counsel submits that in case, any documents are received from the legal heirs of the petitioner Rishal Singh (since deceased), the same will be processed and appropriate order will be passed within a period of eight weeks of the receipt of all such documents and in case, after the passing of the speaking order, the petitioner Rishal Singh (since deceased) is found entitled for any relief including the reimbursement of the medical claim, the same will also be given to the legal heirs of the petitioner within a further period of four weeks.

6. Learned counsel for the petitioner submits that keeping in view the said statement of learned counsel for the respondents, the present petition may kindly be disposed of having been not pressed any further with liberty to the legal heirs of the petitioner to submit all the documents as required before the authorities concerned to claim the medical reimbursement.

7. Ordered accordingly.

November 29th, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No