

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

228

CWP-13446-2021

Date of Decision :06.03.2024

Vijay Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. R.P.S Jammu, Advocate for
Mr. P.S. Jammu, Advocate for the petitioner.

Mr. Harish Rathee, Senior DAG, Haryana.

* * *

Harsimran Singh Sethi, J. (Oral)

1. In the present petition, grievance being raised by the petitioner is that though, his medical bills have been reimbursed by the respondents to some extent but the same have not been reimbursed in accordance with law and all the expenditure incurred by the petitioner, which is required to be reimbursed has not been reimbursed to him so far.

2. Learned counsel for the petitioner argues that the petitioner suffered a heart attack and was rushed to Fortis Hospital, Mohali on 11.06.2020, where the petitioner underwent a heart bypass surgery and was thereafter, discharged on 01.07.2020. During the stay of the petitioner in the said hospital, the petitioner incurred a sum of Rs.5,30,967/- on his treatment, reimbursement of Rs.4,84,736/- was sought by the petitioner by

submitting proper application.

3. Learned counsel for the petitioner submits that out of the total claimed amount of Rs.4,84,736/-, respondent No.3 sanctioned a claim of Rs.4,82,091/- to be reimbursed to the petitioner but only Rs.3,32,200/- has been reimbursed by the respondents whereas, the rest of the amount has not been reimbursed and that too without valid justification.

4. Upon notice of motion, reply has been filed by the respondents wherein, it has been stated that the claim of the petitioner has been considered and the medical reimbursement has been done in accordance with law copy of which has been attached as Annexure R-2 with the reply to show as to how much amount from the claim of the petitioner has been reimbursed and which has been denied.

5. Learned counsel for the petitioner submits that certain amount spent upon investigation, diagnostic and medicines etc. have wrongly not been reimbursed by the respondents and that too without valid justification.

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

7. It is not a disputed fact that petitioner incurred a sum of Rs.5,30,967/- on his treatment out of which, he raised claim for a sum of Rs.4,84,736/- and a sum of Rs.4,82,091/- was sanctioned in favour of the petitioner however, only a sum of Rs.3,32,200/- has been reimbursed by the respondents.

8. From the perusal of Annexure R-2, it would be seen that certain amount have not been reimbursed to the petitioner, such as Covid Kit of Rs.4500/-, certain drugs administered amounting to Rs.73105/- as well as

amount spent upon investigations diagnostic etc. Nothing has come on record as to why, the said amount has not been reimbursed to the petitioner when once the petitioner paid the said amount while getting the treatment.

9. It is a settled principle of law that once, an amount has been spent while getting medical treatment and the treatment also includes investigations also, the respondents are under an obligation to reimburse the medical expenses incurred by the petitioner. A bare perusal of Annexure R-2 would show that even bills of medicines, which the petitioner had produced have not been reimbursed and no justification has come forward for not reimbursing the said amount.

10. Keeping in view the facts and circumstances recorded hereinbefore, the respondents are directed to reimburse the full amount incurred by the petitioner including Covid kit, investigations and diagnostic done as well as medicines.

11. Let the respondents release the remaining amount for which, the petitioner is entitled for under this order, within a period of 08 weeks from the date of receipt of copy of this order.

March 06, 2024

aarti

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No