



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

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CWP-13681-2021

Date of decision : 13.12.2024

Rachhpal (now deceased) through his LRs

....Petitioner

V/S

Punjab State Power Corporation Ltd. and others

....Respondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Munish Puri, Advocate
for the petitioner.

Mr. Rohit Aggarwal, Advocate for
Ms. Samridhi Sareen, Advocate
for respondents No.1, 4 & 5.

Ms. Saguna Arora, A.A.G. Punjab
for respondents No.2 & 3.

NAMIT KUMAR, J. (ORAL)

1. The petitioner has filed the instant writ petition under Articles 226/227 of the Constitution of India, seeking a writ of mandamus, directing the official respondents to release the medical reimbursement claim of the petitioner amounting to Rs.2,16,328/- for treatment of Gall Bladder Mass Xanthogranulomatous Cholecystitis along with interest @ 18% per annum.

2. On 03.12.2024, the following order was passed :-

“Learned State counsel has produced a copy of the approval dated 17.07.2018 given by the Director, Health and Family Welfare, Chandigarh, whereby, a sum of Rs.91,258/- have been sanctioned as medical reimbursement to the petitioner.



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Learned counsel for the petitioner submits that no payment has been released to the petitioner by respondents No.4 and 5.

Faced with this situation, learned counsel for respondent No.4 and 5 seeks time to get instructions and to release the payment.

Adjourned to 10.12.2024.

To be taken up after urgent cases.”

3. Thereafter, the matter came up for hearing before this Court on 10.12.2024 and the following order was passed :-

“xx xx xx xx xx

It has been pointed out that despite the approval granted by the Director, Health and Family Welfare, Punjab, Chandigarh, on 17.07.2018 which was forwarded to the Civil Surgeon, Pathankot, the payment has not been released.

Since the necessary sanction has not been granted by the Civil Surgeon, Pathankot despite a lapse of six years, the Civil Surgeon, Pathankot, is directed to remain present before this Court on the next date of hearing.

Adjourned to 13.12.2024.

A copy of this order shall be communicated to Civil Surgeon, Pathankot, by learned State Counsel.”

4. In pursuance to the order dated 10.12.2024, Dr. J.P. Bhatti, Officiating Civil Surgeon, Pathankot is present in the Court.

5. Learned State counsel has produced a copy of letter dated 17.07.2018, whereby the necessary approval for medical reimbursement amounting to Rs.91,258/- was sanctioned and conveyed to the respondent-corporation and copy of entry dated 24.07.2018 to this effect in the relevant Register has also been produced.



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6. Learned counsel for respondents No.1, 4 & 5 has disputed the abovesaid factual position by referring to the letters dated 23.08.2017 and 27.12.2021 (Annexures R-1/1 and R-1/2) addressed by the respondent-Corporation to the Civil Surgeon, Civil Hospital, Pathankot for reimbursement of medical bill of the petitioner, however, he admits the fact that they have received the necessary sanction on 12.12.2024 and submits that the necessary payment shall be made to the petitioner on or before 18.12.2024.

7. Learned counsel for the petitioner submits that the petitioner has unfortunately died during the pendency of the present petition and his LRs have already been brought on record. He submits that since the petitioner has been mentally tortured and harassed by the respondents by not making the payment of medical reimbursement timely which was due in the year 2018, therefore, he may be compensated for six years delay in releasing the said payment.

8. Keeping in view the above, the respondents No.1, 4 & 5 are directed to pay cost of Rs.25,000/- to the LRs of the petitioner as compensation, for delaying the payment of medical reimbursement, within a period of 01 month from the date of receipt of certified copy of this order.

9. Disposed of in the above terms.

13.12.2024

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(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No