

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

110

CWP-15541-2015

Date of Decision : 11.01.2024

Rattan Chand

..... Petitioner

Versus

Food Corporation of India and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

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

Mr. Ravinder Singh, Advocate for
Mr. Ish Puneet Singh, Advocate
for the respondent-FCI.

JAGMOHAN BANSAL, J. (Oral)

1. On 23.11.2023, the following order was passed :

“The petitioner is claiming reimbursement of medical expenses which he incurred out of country. The petitioner is a retired employee and he had got medical treatment in Australia. He incurred a sum of Rs.8 lakhs on his treatment and claimed reimbursement from the respondent.

The claim of the respondents is that as per paragraph 3 of Circular No.48 of 1999, the respondent is liable to reimburse medical expenses incurred in India, thus, respondents are not liable to reimburse medical expenses incurred out of country. The relevant extracts of the Circular read as :

3. The Scheme would be a reimbursement scheme of actual

expenses incurred by the retired employee/spouse in any hospital in India for indoor treatment within the ceiling amount prescribed and subject to production of original vouchers/cash memos for the admissible items only. The retired employees/workers as well as serving employees/workers including surviving spouse of deceased retired employee on date i.e. 31.7.99 would be eligible to become a member of the Scheme. He/She is required to make a contribution equivalent to Basic Pay and D.A drawn by them on the date of superannuation subject to a minimum of Rs. 3,500/- as a life time subscription towards the Medical Assistance Fund. From the serving employees life subscription would be recovered in equal monthly installments from their pay during the last 3 years or left-over service whichever is less.”

Learned counsel for the petitioner seeks a short accommodation to address the arguments.

Adjourned to 07.12.2023.

It is made clear that no further adjournment shall be granted.

To be shown in the urgent list.”

2. In the aforesaid order, it was made clear that no further adjournment shall be granted still petitioner on 07.12.2023 sought adjournment which was granted. Counsel for the petitioner has nothing to

controvert the afore-cited circular.

3. From the circular No.48 of 1999, it is quite evident that the petitioner is not entitled to reimbursement of expenses incurred out of India and the petitioner is concededly seeking reimbursement of expenses incurred in Australia. The circular of the respondent is quite clear and there is no scope of doubt. This Court cannot ask the respondent to travel beyond circular because it may create unexpected financial burden upon the respondent.

4. In the wake of above facts and findings, the present petition deserves to be dismissed and accordingly dismissed.

11.01.2024
anju

(JAGMOHAN BANSAL)
JUDGE

Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>