



CWP-25172-2021

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

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Date of decision: 25.07.2024

Vijay Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Govind Chauhan, Advocate
for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

AMAN CHAUDHARY. J (Oral)

1. The present petition has been filed for quashing the impugned order dated 31.01.2020, Annexure P-12, passed by respondent No.3, whereby the medical reimbursement claim of the petitioner was rejected.

2. Learned counsel would submit that wife of the petitioner had taken the treatment for Breast Cancer from Sir Ganga Ram Hospital, Delhi, whereafter she was referred by the said hospital for Radiation Oncology Procedure to B.L. Kapur Memorial Hospital, New Delhi as the patient required urgent Local RT ® side as the machines for radiation was not available at Sir Ganga Ram Hospital. The Civil Surgeon, Karnal issued an emergency certificate in the name of Smt. Usha Rani on 02.12.2013, Annexure P-2, and the expenses incurred for the said treatment from 16.08.2012 to 28.09.2012 were Rs.1,45,000/-. However, she unfortunately passed away on 14.08.2013. The Director General, Agriculture Department vide letter dated 07.04.2015, Annexure P-8, issued on receipt of required advice granted approval only for Rs.11,125/-. The Principal Secretary, vide instructions dated 13.08.2015, Annexure P-9, issued instructions to all

Department Heads that reimbursement would be allowed on the same terms



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and conditions and notified package and implants rates and B.L. Kapur, Hospital was also empanelled as shown at Sr. No.51, the rates indicated for all these hospitals including the aforesaid hospital were that of PGI + 75% of balance amount. He however, at this stage, submits that he would file a representation bringing to the notice aforesaid facts, which may be directed to be reconsidered in a time bound manner.

3. Learned State counsel has no objection to the limited prayer made and that authorities would be not averse to have a relook at the matter.

4. In view of the above and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to respondent No.3 that in case a representation is filed within 4 weeks, the claim of the petitioner be reconsidered and decided expeditiously and preferably within 4 months, in accordance with law. Upon doing so, after notice and hearing offered to him and if found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to his interest, the same shall contain reasons and the petitioner shall be free to seek legal redress thereupon.

(AMAN CHAUDHARY)
JUDGE

25.07.2024

Hemant

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No