

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

Sr. No.: 106

Civil Writ Petition No.26312 of 2024**Date of Decision: December 16, 2024**Loveleen Goel

..... PETITIONER(S)

*VERSUS*State of Haryana & others

..... RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**PRESENT:** - Mr. Nitin Sherwal, Advocate, with Mr. Satish Goel, Advocate, for the petitioner.

Mr. R.S. Budhwar, Additional Advocate General, Haryana.

Tribhuvan Dahiya, J (Oral)

The petition has been filed seeking a writ of *mandamus* directing the respondents to reimburse medical expenses to the petitioner, amounting to ₹ 3,40,583.40, alongwith interest for the delay caused.

2. On 12.11.2024, learned State counsel submitted before the Court that sanction had been accorded for reimbursement of medical expenses amounting to ₹ 3,19,912 (Rupees three lac nineteen thousand nine hundred and twelve only) to the petitioner vide office order dated 14.10.2024, passed by the Special Secretary to Government of Haryana, School Education Department, and the due amount would be credited to her account within ten days.

3. Learned counsel for the petitioner, on instructions, contends that the amount has been credited to her account on 20.11.2024. He, however, submits that for no reason the petitioner has been deprived of the due amount for over one year, as the claim for medical reimbursement was submitted by

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her on 12.10.2023, vide Annexure P-2. Accordingly, she is entitled to payment of interest for the period of delay.

4. Learned State counsel on instructions received from the Department vide memo dated 13.12.2024, which is retained on the file as Annexure-A, contends that the petitioner's claim for medical reimbursement was received in the Directorate on 01.02.2024 through the third respondent/DEO, Panchkula. It was put up before the authority after verification by the Departmental Audit Cell. There were certain objections, which were forwarded to the DEO for clarification. The case with clarification was received from the DEO in May 2024. Thereafter, following due procedure, the matter was re-submitted to the competent authority, and after due sanction the payment was credited to the petitioner's account on 22.10.2024. Therefore, the delay in sanctioning the amount of medical reimbursement is procedural and not intentional which dis-entitles the petitioner for payment of interest.

5. Heard.

6. Admittedly, the petitioner has been released the due amount of medical reimbursement during pendency of the petition. The only issue needs to be decided is whether she is entitled to interest on the delayed payment. It is apparent on record that the claim for medical reimbursement was submitted by her on 12.10.2023, simultaneously to the fourth and fifth respondents, vide letters Annexure P-3 and P-4, respectively, which were received by the said respondents on 17.10.2023 and 18.10.2023, respectively, as per the endorsement. The claim was, however, forwarded by the fourth respondent to the third respondent/DEO, Panchkula, only vide letter dated



10.01.2024, Annexure P-5. The amount was not released without citing any reason. Therefore, the petitioner had to issue a legal notice dated 20.07.2024, Annexure P-6, calling upon the respondents to release the amount of medical reimbursement alongwith interest. It was still not released, forcing her to file the instant petition. Only during pendency of the petition the due amount has been released. The explanation put-forth by the respondents regarding the procedural delay in clearing the medical reimbursement is not acceptable; rather, it shows sheer lethargy and inaction on their part without any justification.

7. Accordingly, the respondents are burdened with interest for the delayed payment at the rate of seven per cent per annum which will be paid from 12.01.2024 (three months from the date of submission of the medical reimbursement claim) to 20.11.2024 (the date of actual payment), within four weeks of receiving a certified copy of the order.

8. Disposed of.

(Tribhuvan Dahiya)
Judge

December 16, 2024
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<u>Whether Speaking/ Reasoned:</u>	<u>Yes/ No</u>
<u>Whether Reportable:</u>	<u>Yes/ No</u>