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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 8969/2017

B. S. BEDWAL

.....Petitioner

Through: Mr. Ankur Chhibbar and Mr. Sunil
Kumar Verma, Advs.

versus

UNION OF INDIA AND ORS.

.....Respondents

Through: Ms. Barkha Babbar, Adv. with ASI
Gaurav Gahlot, SI Prahlad Devendra,
SI Amit Kumar and Ct. Mohit Kumar,
CISF.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

10.07.2024

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1. The petitioner has approached this Court under Article 226 of the Constitution of India seeking a direction to the respondent to reimburse the amount of Rs. 1,88,024/- along with interest, spent by him on the treatment of his wife at Jindal Institute of Medical Science, Hisar, Haryana, after she was bitten by a snake on 06.07.2014.

2. Learned counsel for the petitioner submits that the petitioner was compelled to pay the aforesaid amount because he was issued the card under the Central Government Health Scheme (in short "CGHS") only on 21.07.2014. This he contends was due to the delay in issuance of his Pension Payment Order (in short "PPO") which is a pre condition for issuance of the CGHS Card. The PPO, he submits was supplied to the petitioner only on 21.07.2014, that too after several visits by him to the pension payment office of the CISF. Immediately upon receiving the PPO on 21.07.2014, the petitioner was able to get the requisite CGHS card issued and consequentially, his wife



was able to receive cashless treatment at the empanelled hospital under the CGHS w.e.f 22.07.2014. He, therefore, prays that the respondents, who delayed the issuance of PPO to the petitioner ought to reimburse the amount that he was compelled to pay to the Jindal Institute of Medical Science, Hissar to save the life of his wife, who was bitten by a snake.

3. On the other hand, Ms. Barkha Babbar, learned counsel for the respondents seeks dismissal of the writ petition by urging that the PPO was infact issued on 11/19.06.2014 itself and therefore, if the petitioner had sent a special messenger or taken appropriate steps to procure a copy of the PPO, he would have received the same well in time. In any event, she submits that the PPO was sent to the petitioner by post to his native place and should have ordinarily been received by him within one week from the date of issuance of the same. She, therefore, contends that the respondents cannot be faulted for the delay in the petitioner receiving the PPO. Furthermore, any financial assistance from the Central Welfare Fund of the CISF to retired CISF personnel can be granted to them only once in their lifetime, subject to the concerned employee not being covered under the CGHS scheme, but in the present case it is the petitioner's own inaction/lapse that resulted in the delay in issuance of the CGHS card in his favour.

4. Having considered the submissions of learned counsels for the parties and perusing the record, even though we are inclined to agree with the respondents that once the PPO is issued to the employee, it is his/her duty to get the CGHS card issued, we find that the respondents have failed to place any document on record to show that the PPO was in fact posted to or was received by petitioner before 21.07.2014. This position is also corroborated by the fact that the petitioner started receiving service pension only after 21.07.2014. Had the PPO been issued earlier, the petitioner would have been released his



pension in time after he had superannuated from service on 31.03.2014.

5. In these circumstances, when the respondents have failed to produce any document in support of their plea that the PPO was served on the petitioner before 21.07.2014, we have no reason to disbelieve his stand that he did not receive a copy of the PPO till 21.07.2014. We are, therefore, of the view that the respondents are squarely responsible for the delay in issuance of the PPO to the petitioner as a result whereof he was not issued the requisite CGHS card in time. In these peculiar circumstances, when the respondents are squarely responsible for the petitioner being compelled to bare the medical expenses of the treatment of his wife till 21.07.2014, on which date the CGHS card was issued to him, it is a fit case where the respondents should reimburse the petitioner by paying him this amount from the Central Welfare Fund of the CISF.

6. We, accordingly, allow the writ petition by directing the respondents to verify the claim raised by the petitioner for reimbursement of the expenses incurred by him for the treatment of his wife for the period before the issuance of his CGHS card on 21.07.2014. The amount as may be found payable after verification of the bills will be paid to the petitioner within 8 weeks. The writ petition is disposed of in the above terms.

REKHA PALLI, J

SHALINDER KAUR, J

JULY 10, 2024/ss