HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Civil Writ Petition No. 16516/2017

Mohan Singh Rajpurohit S/o Shri Jeevraj Singh Rajpurohit, R/o Village And Post Baglop, Tehsil Pachpadra, Via Kalyanpur, District Barmer.

----Petitioner

Versus

1. The State Of Rajasthan Through The Principal Secretary, Panchayati Raj Department, Government Of Rajasthan, Secretariat, Jaipur.
2. The Director, Pension And Pensioners Welfare Department, Government Of Rajasthan, Jaipur.
3. The Treasury Officer, Bikaner.

----Respondents

For Petitioner(s) : Mr. Akhilesh Rajpurohit
For Respondent(s) : ----

HON'BLE MR. JUSTICE ARUN MONGA

Order (Oral)

23/04/2024

1. Petition was filed in the year 2017 when grievance of the petitioner was to direct the respondents to reimburse the balance amount of medical expenses incurred by the petitioner along with the interest.

2. In view of the subsequent communication dated 18.09.2020 (Annexure-4) appended with the additional affidavit dated 19.01.2024, it transpires that the claim of the petitioner was accepted. However, it was subject to the condition that in case he is willing to forego the interest payment and did not claim any penalty, as well as, give further undertaking that if the petitioner

was willing to withdraw the petition, the department would make the necessary reimbursement qua his medical expenses.

3. Apropos, the petitioner gave his undertaking to the department on the dotted lines as sought from him vide communication, ibid. Notwithstanding, the petitioner has not been paid his dues.

4. I am of the view that the department has been rather unreasonable and nonchalant to the submissiveness of the petitioner, in as much as, despite his having given the undertaking on dotted lines way back in 2020, they have simply sat over his file without passing any further orders.

5. In the premise, respondents are directed to make the payment to the petitioner in terms of the communication dated 12.10.2020 within a period of 30 days, along with 9% interest (which is stated to be the applicable rate of interest as per the service rules) with effect from the date petitioner has given his undertaking.

6. Writ petition is allowed.

7. Pending application(s), if any shall stand disposed of.

(ARUN MONGA),J

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Whether Reportable: Yes / No