



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

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CWP-19817-2021

Date of Decision : **May 14, 2025**

Rajesh Kaushik

.....Petitioner

VERSUS

PEPSU Road Transport Corporation and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA

Present : Mr. Vikas Chatrath, Advocate.
Mr. Abhishek Singla, Advocate
Ms. Tanya Sehgal, Advocate and
Ms. Preetlash Kaur, Advocate for the petitioner.

Mr. Anupam Singla, Advocate for the respondents.

DEEPINDER SINGH NALWA, J.

1. Prayer in the present writ petition is for issuance of directions to the respondents to consider and release the medical reimbursement amount of Rs.2,12,686/- along with interest which was sanctioned vide order dated 09.01.2014 (Annexure P-3). The petitioner has also prayed for quashing the impugned letters dated 30.4.2021 (Annexure P-6) and 2.9.2021 (Annexure P-16).

2. Brief facts of the case are that the petitioner was an employee of PEPSU Road Transport Corporation, Nabha Road, Patiala (here-in-after referred to as '**the Corporation**'). The petitioner got the treatment of knee transplant of his wife from Fortis Hospital, Mohali on 27.6.2013. The petitioner submitted medical bills claiming medical reimbursement of

Rs.3,93,268/. The medical bills submitted by the petitioner were duly considered by the competent authority and after verification of the abovesaid bills, the competent authority approved an amount of Rs.2,12,686/- for the purpose of medical reimbursement. Despite the fact that the amount of Rs.2,12,686/- was approved and sanctioned by the competent authority vide letter dated 09.01.2014 (Annexure P-3), but the same was not released to the petitioner. After a lapse of 6 years, from the date of sanction of the medical bills for the purpose of medical reimbursement, the petitioner received a communication in the year 2019 to the effect that the petitioner should submit photocopies of the medical bills, which the petitioner had submitted at the time of claiming medical reimbursement. In pursuance of the abovesaid communication, the petitioner duly submitted all the medical bills alongwith the necessary documents again to show that the medical reimbursement as claimed by the petitioner for the treatment of his wife was duly sanctioned by the competent authority. To the shock of the petitioner, the petitioner again received a letter dated 10.11.2020 (Annexure P-7) wherein, it was mentioned that the medical bills file was not traceable as such, the petitioner should submit medical bills and order of sanction in the office. It was also mentioned that the petitioner should resubmit an affidavit of self declaration. In pursuance of the abovesaid letter, the petitioner duly submitted his self declaration alongwith medical bills on 16.11.2020 (Annexure P-8).

3. The petitioner again received a letter dated 28.1.2021 (Annexure P-9) asking him to get the medical bills collected from the office and get it duly certified from the concerned doctor. However, petitioner again received a letter dated 30.04.2021 (Annexure P-6), wherein the petitioner was asked to prepare detail of medical bills and submit the same in the office after getting them certified from the concerned hospital. The petitioner duly filed reply to the abovesaid letter on 28.6.2021 (Annexure P-11) wherein, the petitioner submitted that in fact the petitioner had duly submitted duplicate medical bills duly certified from the competent authority. It was also submitted by the petitioner in the abovesaid reply that infact once the medical bills have already been certified and the medical reimbursement has been sanctioned, there is no reason for the respondents to again ask for the medical bills to be certified from the competent authority. It was also submitted by the petitioner in the abovesaid reply that infact the respondents are just harassing the petitioner.

4. The petitioner again received letter dated 1.7.2021 (Annexure P-12) wherein, the petitioner was again told to collect the medical bills and get it certified by the concerned doctor. The petitioner again filed reply to the abovesaid letter vide letter dated 22.7.2021 (Annexure P-13) wherein, the petitioner submitted that infact the petitioner had already submitted the duplicate bills and asking for the same is not justified at that stage. It was also the case of the petitioner in the abovesaid letter that it was not possible at that

stage to get the medical bills again certified from the competent authority. The petitioner served a legal notice dated 24.08.2021 (Annexure P-15) upon the respondents for release of the sanctioned medical reimbursement amount. In response thereof, respondents issued a communication dated 02.09.2021 (Annexure P-16), wherein the petitioner was again asked to submit the medical bills after certification from concerned doctor for seeking approval for payment of medical bills.

5. Despite the fact that the petitioner had already submitted the medical bills for the purpose of medical reimbursement, which was duly approved and sanctioned by the competent authority in the year 2014, no medical reimbursement is released to the petitioner. As a consequence of this, the petitioner had no other option but to file the present writ petition.

6. Learned counsel appearing on behalf of the petitioner submits that the medical bills were duly submitted by the petitioner for the purpose of medical reimbursement. The same were duly sanctioned and approved by the competent authority in the year 2014. The petitioner had submitted the duplicate medical bills for the purpose of release of medical reimbursement. It is further submitted by the learned counsel for the petitioner that after almost 7 years, it is not possible for the petitioner to get the medical bills certified again from the concerned doctor. He submitted that once the medical bills are sanctioned, the respondents are duty bound to release the same.

7. Learned counsel appearing on behalf of the respondents submits that infact the medical bills have been misplaced, as such, the impugned letters have been issued to the petitioner to get the medical bills certified again from the concerned authority/doctor. As such the action of the respondents for not releasing the medical reimbursement is legal and valid.

8. I have heard the learned counsel for the parties and have gone through the record.

9. A perusal of the facts mentioned above would show that the medical bills submitted by the petitioner for the purpose of medical reimbursement were duly sanctioned and approved by the competent authority. The petitioner had submitted duplicate medical bills again to the respondents for the purpose of releasing the medical reimbursement. If the respondents have misplaced the medical bills, there is no fault of the petitioner. It is well settled law that right to life includes the right to medical facilities and the denial of medical reimbursement violates Article 21 of the Constitution of India. It is the duty of the employer to release the medical bills at the earliest. It would be gross injustice at this stage, if the petitioner is asked to get the medical bills again certified from the concerned doctor/hospital. The amount of medical reimbursement, as sanctioned by the competent authority cannot be denied to the petitioner and the action of the respondents in not releasing the amount of medical reimbursement to the petitioner violates Articles 14 and 21 of the Constitution of India.

10. In view of the above, the present writ petition is allowed and the impugned letters dated 30.4.2021 (Annexure P-6) and 2.9.2021 (Annexure P-16) are quashed. The respondents are directed to release the sanctioned and approved medical reimbursement of amount of Rs.2,12,686/- to the petitioner within a period of 4 weeks from the date of receipt of certified copy of this order.

(DEEPINDER SINGH NALWA)
JUDGE

May 14, 2025
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Whether speaking/reasoned. : Yes
Whether Reportable. : Yes/No