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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-22073-2024
Date of Decision: 19.12.2025

KASHI RAMPETITIONER
VERSUS
STATE OF HARYANA AND OTHERSRESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Raghav Chhabra, Advocate for
Mr. Aditya Yadav, Advocate
for the petitioner.

Mr. Saurabh Girdhar, AAG, Haryana.

Mr. Kuldeep Sheoran, Advocate
for respondent No.4.

HARPREET SINGH BRAR, J. (ORAL)

1. The present writ petition has been filed under Article 226/227 of the Constitution of India with a prayer for issuance of writ in the nature of *certiorari* for quashing the order dated 04.05.2016 passed by respondent No.3, vide which claim of petitioner for medical reimbursement of the petitioner on account of treatment of his wife has been declined on the ground of time-barred claim, without considering the Government Instruction dated 11.12.2003 (P-3). Further praying for issuance of a writ in the nature of *mandamus* commanding the respondents to release medical reimbursement of Rs.6,88,367.87/- of petitioner along with interest @ 18% per annum on account of delayed payments.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner was working with the respondent No.4/General Manager, The



Fatehabad Central Cooperative Bank Ltd. Fatehabad, Haryana and retired from service on attaining the age of superannuation on 31.05.2017 as a Secretary. On 24.06.2014, the wife of the petitioner met with an accident, for which she remained admitted at Medanta Hospital, Gurgaon, w.e.f. 27.06.2014 to 03.07.2014 and incurred an expenditure of Rs.6,88,367.87/-. However, the claim for medical reimbursement has been rejected vide letter dated 04.05.2016 (Annexure P-5) on the ground of delay while submitting the claim for medical reimbursement. Feeling aggrieved thereof, the petitioner filed a representation for reconsidering his claim for medical reimbursement. Thereafter, the respondent No.4/General Manager, The Fatehabad Central Cooperative Bank Ltd. Fatehabad, Haryana, forwarded the medical bill to the Additional Chief Secretary Health Department Chandigarh on 06.05.2017, as is discernible from letters (Annexures P-6 to P-8). Thereafter, medical reimbursement claim of petitioner was not finalized even after when it was sent to higher authorities for approval, then the petitioner also submitted representation dated 19.06.2017 (Annexure P-9), which was not decided by respondent-Department. Aggrieved thereof, the petitioner preferred a petition bearing **CWP-9132-2019**, tiled as ***Kanshi Ram Vs State of Haryana and others***, before this Court, which was withdrawn vide order dated 14.05.2019 (Annexure P-10). Learned counsel further submits that the rejection of the petitioner's claim on the ground of limitation is absolutely illegal, arbitrary, de hors the statutory mandate, and the impugned orders have been passed in a cryptic manner.

3. Learned counsel further submits that the petitioner's claim was required to be processed and reimbursed in terms of the judgment of this



Court in ***Rajwant Kaur v. State of Punjab, 2001(2) SCT 1035***, wherein it was held that a claim for medical reimbursement cannot be defeated on the ground of delay or laches. The said judgment was affirmed by a Division Bench of this Court in ***Baljinder Kaur v. State of Punjab and others, 2008(2) SCT 820***, wherein the Government instructions dated 06.07.1971, on the basis of which the petitioner's claim was rejected, were struck down. Both the aforementioned judgments, along with the reasoning therein, were reiterated by this Court in ***Amarjeet Singh and others v. State of Punjab and others, 2014(2) PLR 11***.

4. On the other hand, learned counsel for the respondents contends that the petitioner is not entitled to any relief, as his claim for reimbursement was rightly rejected on account of delay, and that the petitioner had failed to furnish a satisfactory explanation while submitting his claim. He, therefore, prays for dismissal of the writ petition. However, the respondents' counsel is unable to controvert or offer any plausible explanation regarding the judgments relied upon by the learned counsel for the petitioner.

5. I have heard learned counsel for the parties and carefully examined the record. It is an admitted position that wife of the petitioner was hospitalized in the year 2014 and that the medical treatment stands duly supported by official hospital records. The sole ground for rejection of the claim is delayed submission of the reimbursement papers.

6. A genuine medical reimbursement claim, supported by verifiable medical evidence, ought not to be dismissed merely on the ground of delay, particularly when the delay does not cause prejudice to the State. The approach adopted by the respondents fails to satisfy the constitutional



mandate of fairness and reasonableness. Denial of reimbursement for life-saving or essential medical treatment, solely on technical grounds, infringes the fundamental right, enshrined in the Article 21 of the Constitution of India. Reliance in this regard may also be placed on a recent judgment of this court in *Gurcharan Singh Vs. Punjab State Power Corporation Limited and another* passed in CWP-1503-2017.

7. Accordingly, the present petition is allowed and the order dated 04.05.2016 (Annexure P-5) is quashed and set aside. The respondents are directed to make the payment of medical reimbursement for the medical procedure undergone by the wife of the petitioner to the tune of Rs.6,88,367.87/- along with 6% interest per annum, to be calculated from the date of submission of claim for medical reimbursement till its actual realization. The same shall be done within a period of three months from the date of receiving a certified copy of this order.

8. Pending miscellaneous application(s), if any, shall also stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

19.12.2025
Kusum

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