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

+ **W.P.(C) 5145/2024 & CM APPL. 38886/2024**

PRASHANT PANT

.....Petitioner

Through: Ms. Mrinmoi Chatterjee,
Advocate.

versus

**REGISTRAR CENTER FOR RAILWAY
INFORMATION SYSTEMS & ORS.**

.....Respondents

Through: Mr. Chandan Kumar, Mr. Vikram
Sharma, Advocates for R-1 and 2.
Mr. Nishant Gautam, CGSC with
Mr. Vardhman Kaushik, Mr. Vinay
Kaushik, Advocates for R-3.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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22.04.2025

1. The petitioner has filed this writ petition under Article 226 of the Constitution, seeking a direction upon respondents to release medical advance of Rs. 7,00,000/- for complete bilateral knee replacement surgery of his mother, who is suffering from degenerative arthritis. .
2. The petitioner is working as a Senior Project Engineer with respondent No. 1 and 2 – Centre for Railway Information Systems [“CRIS”].
3. On 03.03.2025, the Court directed CRIS to take a decision within one week on whether knee replacement of degenerative arthritis falls



within Rule 7.8 of the CRIS Medical Attendance Rules, 2009 [“the Rules”], which provides for exclusion from reimbursement from indoor treatment for “*Aesthetic and reconstructive surgery to improve one’s appearance and function*”.

4. Pursuant to the said order, CRIS issued a communication dated 18.03.2025, which stated that the petitioner will be entitled to advance for his mother’s knee replacement surgery. However, on 19.03.2025, the Court noted a discrepancy with respect to the rate at which the medical advance was approved, and recorded as follows: -

“1. Further to the order dated 03.03.2025, Mr. Chandan Kumar, learned counsel for the respondent Nos. 1 and 2 - Centre for Railway Information System [“CRIS”], states that a decision has been taken to the effect that the petitioner will be entitled to advance for his mother’s knee replacement surgery. A copy of communication dated 18.03.2025, addressed to the petitioner, has been handed up in Court, and is taken on record.

2. However, from the said communication, it appears that CRIS has approved the medical advance “based on the published CGHS rates”. Ms. Mrinmoi Chatterjee, learned counsel for the petitioner, points out that CRIS Medical Attendance Rules, 2009 [“the Rules”], are not based on Central Government Health Scheme rates. She draws my attention to Rule 7.7 (iii) of the Rules, which provides that reimbursement would be at “rates not exceeding those of Apollo/MAX”.

3. If the respondent has taken a decision to allow advance/reimbursement for knee replacement surgery, I am prima facie unable to understand why the rates are fixed in a manner different from the provisions of the Rules.

4. Mr. Kumar submits that a committee has been set up to work out the modalities and rates.

5. I am not satisfied with this piecemeal approach. The position first articulated was that the knee replacement surgery is not covered under the Rules, as it is “aesthetic or reconstructive surgery”. Now that the position has rightly been revised, the question of the rate at which the reimbursement/advance will be granted has been opened, for which the rules themselves appear to contain adequate provisions.



6. *The Registrar of CRIS is directed to file a personal affidavit within two weeks from today, with regard to this apparent anomaly.*

7. *List in the category of “for admission” matters on 22.04.2025.”*

5. In compliance with order dated 19.03.2025, CRIS filed a further affidavit dated 09.04.2025, in which they stated that a decision has been taken to approve reimbursement to the petitioner in terms of Rule 7.7 (iii) of the Rules, which provides reimbursement at “*rates not exceeding those of Apollo/MAX*”.

6. Ms. Mrinmoi Chatterjee, learned counsel for the petitioner, confirms that the grievance in this petition, thus, stands resolved.

7. The petition, alongwith the pending application, is disposed of in terms of the above.

PRATEEK JALAN, J

APRIL 22, 2025

‘Bhupi/AD’/