



2025:DHC:6775-DB



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

Date of decision: 12.08.2025

+ W.P.(C) 14648/2023 & CM APPL. 58265/2023
NEW DELHI MUNICIPAL COUNCIL

.....Petitioner

Through: Ms.Sriparna Chatterjee, ASC
for MCD with Mr.Manish, Adv

versus

SHAKUNTALA GUPTA

.....Respondent

Through: Mr.Surinder Kumar Bhasin &
Mr.Vinay Kumar Goel, Advs

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA
HON'BLE MS. JUSTICE MADHU JAIN

NAVIN CHAWLA, J. (ORAL)

1. This petition has been filed challenging the Order dated 05.10.2023, passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi, in O.A. No. 713/2022, titled ***Shakuntla Gupta (Sr. Citizen) v. Chairman, New Delhi Municipal Council & Anr.***, allowing the said O.A. filed by the respondent herein and directing the petitioner to fully reimburse the respondent to the extent of the bills raised by the hospitals on her.

2. The respondent had filed the above O.A. seeking a direction for reimbursement of an amount of Rs. 5,60,970/-, along with interest, on



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account of expenses that were incurred by her during the treatment of COVID-19 in a hospital located in Greater Noida West.

3. The learned counsel for the petitioner submits that the said claim could not have been accepted, as the Government of NCT of Delhi, *vide* Order No. 52/DGHS/PH-IV/COVID-19/2020/prsecyhfw/14450-14649 dated 20.06.2020, had fixed the rates for COVID-related treatment to be charged by private hospitals in the NCT of Delhi, based on the national guidelines. She submits that, therefore, reimbursement in excess of the said amount could not have been granted. She submits that reimbursement based on the said Office Order has already been released to the respondent, which is of Rs.1,88,000/-.

4. We are not impressed with the above submission. The claim of the respondent cannot be denied only because some hospital allegedly has charged more than what was fixed by the Government of NCT of Delhi. Whether the hospital has overcharged the respondent, is an issue to be taken up by the petitioner/relevant authority with that hospital. As far as the respondent is concerned, once it is not disputed that the respondent had to be admitted to the said hospital in a state of emergency, and had incurred expenses of the above amount, the same have to be reimbursed to the respondent.

5. We, therefore, find no merit in the present petition. The same is accordingly dismissed, however, leaving it open to the petitioner to take up the issue of alleged over-charging with the hospital is concerned, if so advised.



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6. The petitioner shall release the balance payment of medical expenses to the respondent, along with interest at the rate of 8% per annum, within a period of eight weeks from today.
7. The petition along with the pending application is disposed of in the above terms.

NAVIN CHAWLA, J

MADHU JAIN, J

AUGUST 12, 2025/rv/ik