



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

104

CWP-31802-2025

Date of Decision: 26.02.2026

DALBIR SINGH

...Petitioner

Vs.

STATE OF HARYANA AND ORS.

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Abhishek Goel, Advocate for the petitioner

Mr. Akshit Pathania, Assistant Advocate General, Haryana

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of communication dated 19.05.2025 whereby respondent has declared his treatment from 20.03.2025 to 23.03.2025 as “not in emergency”.

2. The petitioner is a retired Police Officer. He met with an accident on 17.02.2025. He was admitted in Max Hospital on 18.02.2025 and discharged on 21.02.2025 after performing hip replacement surgery. He was again admitted in Max Hospital on 20.03.2025. He underwent knee surgery. He spent Rs.2,83,064/- on account of medical expenses. He applied for reimbursement. The respondent has rejected his claim on the ground that there was no emergency on 20.03.2025.

3. Learned State counsel submits that no employee can be paid beyond PGI rates. There is dispute with respect to emergency of second

surgery, thus, Department was of the opinion that claim of petitioner cannot be reimbursed.

4. From the perusal of record, it is evident that second surgery was consequent to first surgery. The petitioner underwent first surgery under emergent situation. There was no sense to change doctor or hospital for second surgery when petitioner was satisfied with treatment. The respondent is duty bound to pay to petitioner as per PGI Rates. Accordingly, respondents are hereby directed to redetermine amount of reimbursement to be paid to petitioner applying PGI rates. The needful shall be done within six weeks from today.

5. Disposed of

6. Pending application(s), if any, stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

February 26, 2026
Deepak DPA

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No