



COCP No.5825 of 2025

1

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

105

COCP No.5825 of 2025
Date of decision: January 29th, 2026

Balwinder Kumar and another

.....Petitioners

Versus

Niten Chandra and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms. Roopan Atwal, Advocate
for the petitioners.

Mr,. Gaurav Pathak, Senior Panel Counsel, UOI.

VIKAS BAHL, J. (ORAL)

1. On 23.12.2025, this Court was pleased to pass the following
order:

*“Present: Ms. Roopan Atwal, Advocate
for the petitioners.*

*Mr. Gaurav Pathak, Advocate
for the respondents (through V.C.).*

*On 08.12.2025, this Court was pleased to pass
the following order:-*

*"Present: - Mr.Rajat Chauhan, Advocate for
Ms.Jasneet Kaur, Advocate for the
petitioners.*

*Mr.Gaurav Pathak, Advocate for
respondents-UOI. (Through Video
Conferencing).*

*Learned counsel for respondents-UOI
prays for one last adjournment to submit compliance
report.*

Adjourned to 23.12.2025.



COCP No.5825 of 2025

2

To be taken up in the urgent list.

08.12.2025."

Neither any compliance report has been submitted nor the order passed by the Co-ordinate Bench has been complied with. When this court was about to proceed in the present matter, learned counsel for the respondents has vehemently prayed that one further last opportunity be granted to the respondents to comply with the order passed by the Co-ordinate Bench of this Court dated 17.02.2025 and to submit compliance report and has further stated that in case compliance is not done on the next date of hearing, then, the respondents would pay an amount of Rs.50,000/-over and above the amount due to the petitioner as litigation expenses.

Adjourned to 29.01.2026.

To be shown in the urgent list.

December 23, 2025"

2. Learned counsel for the petitioners has submitted that the petitioners had filed CWP-4273-2025 which was allowed with the following observations:

"The present writ petition is accordingly allowed in view of the order dated 27.07.2017 passed in CWP-10631-2017 titled as 'Captain Kavar Pal Chauhan and another Vs. Union of India and others.'
FEBRUARY 17, 2025."

3. It is submitted that CWP-10631-2017 was allowed in the



following terms:

“12. In the light of what has been discussed above, instant petitions are allowed. Impugned orders/letters dated January 18, 2015 (Annexure P-11) and January 02, 2017 (Annexure P-10) are set aside and the respondents are directed to continue the treatment of petitioners and extend all the benefits to them in the light of Lifelong Medical Facilities as per ECHS dated December 30, 2002 (Annexure P-2) and Clarification dated December 18, 2007 (Annexure P-3).”

4. It is further submitted that since the respondents did not comply with the abovesaid judgments and did not continue the treatment of petitioner No.2 thus, the said petitioner has died. It is submitted that in the said circumstances, the respondents should at least reimburse the medical expenses, which the petitioners have incurred for the medical treatment of petitioner No.2, as per the policy dated 30.12.2002/clarification dated 18.12.2007. It is submitted that in the said circumstances, petitioner No.1 would submit a representation giving the details of the medical expenses along with proof regarding the same and further submitted that the competent authority of the respondents be directed to consider the same and pass a speaking order on the same and the amount found due to the petitioners be released. It is also submitted that the respondents are also liable to pay an amount of ₹50,000/-, as the orders of this Court have not been complied with in view of the order dated 23.12.2025.

5. Learned counsel for the respondents, on the other hand, has submitted that in case petitioner No.1 moves a representation giving details of the medical expenses incurred by him along with proof regarding the

**COCP No.5825 of 2025****4**

same, then respondent No.3 would consider the said representation in the light of the policy dated 30.12.2002/clarification dated 18.12.2007 within a period of one month from the date of receipt of the said representation and would pass a speaking order on the same in the said period. It is submitted that the amount which is found due to the petitioners would be paid within a further period of one month. Learned counsel for the respondents, in order to avoid further action being taken in the present contempt proceedings, has also fairly submitted that they would pay an amount of ₹50,000/- to the petitioner No.1 as litigation expenses.

6. During the course of arguments, a fair stand has been taken by counsel for the petitioners as well as counsel for the respondents and in view of the same, the present contempt petition is disposed of with the following observations/directions:

- (i) The respondents would pay an amount of ₹50,000/- as litigation expenses to petitioner No.1 within a period of three weeks from today.
- (ii) It would be open to petitioner No.1 to move a representation giving the details of the medical expenses incurred by the petitioners for the treatment of petitioner No.2 along with medical bills and respondent No.3 would consider the said representation within a period of one month from the date of receipt of the said representation in the light of the Lifelong Medical Facilities as per ECHS policy dated 30.12.2002/clarification dated 18.12.2007 and would pass a



- speaking order on the same within a period of one month from the date of receipt of the same.
- (iii) The amount which respondent No.3 finds due to the petitioners would be paid to petitioner No.1 within a period of one month thereafter.
- (iv) In case the respondents backtrack from the above, then it would be open to petitioner No.1 to revive the present contempt petition.

January 29th, 2026
Puneet

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No