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

% ***Date of Decision: October 29th, 2026***

\# **CNR No. DLHC010138162026**

\+ W.P.(C) 4563/2026

RAVINDER GUPTA .....Petitioner

Through: Ms. Prabh Shahai Kaur, Adv. and Ms. Nupur Shukla &Mr. Anirudh Gulati, Advs. through V.C.

versus

DIRECTOR, HEALTH SERVICES,
GOVERNMENT OF NCT OF DELHI .....Respondent

Through: Ms. Avnish Ahlawat, Standing Counsel GNCTD with Mr. Mohnish Sehrawat, Advocate.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

AMIT MAHAJAN, J. *(Oral)*

1. By way of the present petition, the petitioner seeks the following reliefs:

> *"a) Issue a writ of mandamus directing the Respondent to make payment of an amount Rs. 11,83,105.21/- to the petitioner alongwith interest @ of 9% per annum from 2021 till actual date of payment.*
> *b) Issue of writ of certiorari quashing the impugned letter dated 21.7.2025 issued by the Respondent.*
> *c) Pass such other or further orders, writ or direction as fr. Hon'ble Court may deem fit and proper in the circumstance of the case."*

2. The Petitioner claims reimbursement of the medical bills pertaining to hospitalization of his wife (i.e. his family member) in Sir

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Ganga Ram Hospital. The Petitioner claims to be an accredited journalist governed by Delhi Press Report & Medical Aid Rules, 1955 (**'DPRMAR'**).

3. It remains undisputed that accredited journalists and their family members are entitled for medical reimbursement in terms of Rule 7 of notification dated 15.11.2011, which reads as under:

> *"Rule-7: **Medical Treatment in Emergencies**: Notwithstanding the provisions contained in Rule 3, **the Press Reporters and the member of their families, in case of emergencies, requiring emergent/lifesaving treatment,** necessitated due to circumstances beyond the control of the beneficiary, will be entitled for such emergent/lifesaving treatment from the Private Hospitals recognized/empanelled by the Govt. of NCT of Delhi, as admissible to Group A officers of the Govt of NCT of Delhi in accordance with the provisions and procedure contained in the DGEHS, as amended from time to time, subject to the following conditions -*
>
> *a) **The treatment was obtained in a private recognized/empanelled hospital under emergency and the patient was admitted by others when the beneficiary was unconscious or severely incapacitated and was hospitalized for prolonged period**,*
>
> *b) The treatment was obtained in a private recognized/empanelled hospital under emergency and was admitted for prolonged period for treatment of head injury, coma, septicemia, multi-organ failure etc.,*
>
> *c) The treatment was obtained in a private recognized/empanelled hospital under emergency for treatment of advanced malignancy, and*
>
> *d) **The treatment was obtained in a private recognized/empanelled hospital under emergency when there is strike in Government hospitals**"*
> *By order and in the name of Lt. Governor of NCT of Delhi."*

4. It is the petitioner's case that his wife was suffering from an infected pseudo-aneurysm of the right femoral artery and required emergent treatment, which was undertaken at Sir Ganga Ram Hospital

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and subsequently at Sir Ganga Ram City Hospital. It is submitted that she was admitted to Sir Ganga Ram Hospital on 04.08.2021, pursuant to a referral by G.B. Pant Hospital, as the facility for vascular surgery was not available there and was also not available at Lok Nayak Hospital. It is further contended that the Government hospitals where treatment could otherwise have been sought had been designated as COVID-19 hospitals to deal with the pandemic.

5. Thus, in view of the unavailability of the requisite treatment in Government hospitals, owning to the declaration of the government hospitals as COVID hospitals, the petitioner was compelled to seek *emergency treatment* at a private hospital and the circumstances; therefore, fall within condition (d) of Rule 7 of the notification dated 15.11.2011, entitling him to reimbursement of the medical expenses incurred.

6. However, by way of the letter dated 21.07.2025, the respondent has refused reimbursement to the petitioner noting that the surgery of the petitioner's wife was not "*emergent in nature*" and hence, could not have been granted any reimbursement.

7. Notably, the respondent has failed to file a counter affidavit, and its right to file the same was closed by this Court *vide* order dated 04.08.2026.

8. It remains uncontroverted that the petitioner had initially approached G.B. Pant Hospital, a Government hospital, where his wife was examined and thereafter referred to a medical facility equipped with vascular surgery facilities.

9. The petitioner has placed forth the emergency certificate dated

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04.10.2021 issued by Sir Ganga Ram Hospital, which records that his wife was admitted to the hospital on 04.08.2021, as she was advised *urgent admission and treatment* and underwent debridement of an infected wound in the right groin.

10. The emergency certificate issued by Sir Ganga Ram Hospital, read with the referral made by G.B. Pant Hospital on account of the non-availability of vascular surgery facilities, supports the petitioner's contention that the treatment was necessitated by *emergent circumstances*. The respondent has also failed to controvert the emergency certificate issued by Sir Ganga Ram Hospital.

11. The learned counsel for the respondent has contended before this Court that in order for the petitioner to claim reimbursement under condition (d) of Rule 7 of the notification dated 15.11.2011, there ought to have been a strike in the government hospital. It is contended that merely because a government hospital had been declared a COVID hospital, the same cannot be equated to there being a strike in the said hospital.

12. Insofar as the said argument is concerned, the same does not find favour with this court. From a patient-centric perspective, a government hospital strike and a designated COVID status share a functional similarity as both result in the sudden suspension of standard outpatient and inpatient services**,** forcing the patient to look elsewhere for medical treatment. While the reasons for a strike and a COVID-19 declaration are completely different, the end result for the petitioner was identical as his wife, non-covid patient, was turned away from receiving emergency healthcare in a government hospital

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during the relevant period and he was forced to avail facilities of a private hospital.

13. In view of the above, this Court is of the view that the petitioner has made out a case for reimbursement of the medical expenses incurred towards the treatment of his wife at Sir Ganga Ram Hospital and Sir Ganga Ram City Hospital, as he was constrained to approach the private hospital due to non-availability of treatment in Government Hospital.

14. Accordingly, the petition is allowed. The impugned letter dated 21.07.2025 is set aside.

15. The respondent is directed to reimburse the petitioner the balance medical expenses of Rs.11,83,105.21/- incurred towards the treatment of his wife at Sir Ganga Ram Hospital and Sir Ganga Ram City Hospital, within a period of eight weeks from today.

16. The respondent is at liberty to recover the above amount from Officer responsible for not filing the Counter Affidavit.

17. The petition is disposed in the above terms.

AMIT MAHAJAN, J

OCTOBER 29, 2026
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