
(2013) 07 P&H CK 0062
In the Punjab And Haryana At Chandigarh
Case No : CWP No. 5873 of 1997

Gulzar Singh Mittal

APPELLANT

Vs

State of Punjab and Others

RESPONDENT

Date of Decision : 31-07-2013

Acts Referred:

Constitution of India, 1950 — Article 226, 227

Citation : (2013) 07 P&H CK 0062

Hon'ble Judges : Paramjeet Singh, J

Bench : Single Bench

Advocate : T.N. Sarup, Addl. A.G. Punjab, for the Respondent

Final Decision : Disposed Off

Judgement

Paramjeet Singh, J.—Instant writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of writ in the nature of certiorari/ mandamus or any other writ, order or direction for quashing letter dated 06.03.1997 (Annexure P-5) issued by respondent no. 2 and for directing the respondents to reimburse the medical expenses with interest incurred by the petitioner on his treatment. The instant petition was adjourned sine die on 28.08.1997 to await decision of the Hon''ble Supreme Court in SLP No. 10355 of 1997. As per report made by the Registry, SLP No. 10355 of 1997, captioned "Director State TPT Punjab and another vs. Kiran Raikhy" has been disposed of on 11.02.1998.

2. In compliance of order dated 05.07.2013, learned State Counsel has produced the certified copy of order passed in SLP No. 10355 of 1997 wherein the following order has been passed:

In this SLP the respondent is the widow of one K.P. Raikhy who was serving under Punjab Government and retired as General Manager, Punjab Roadways. She was admitted into Escorts Heart Institute & Research Centre Okhla Road on 11.01.1995 and she was advised immediate bye-pass heart surgery and

underwent by-pass heart surgery on 14.1.1995. Her claim for reimbursement of medical charges is upheld by the High Court in the writ petition. In our view, no fault can be found with the judgment of the High Court on the facts and of this case as the old policy of 1991 and the judgment of this Court in the case of State of Punjab and others Vs. Mohinder Singh Chawala, etc., would squarely apply to the facts of the case. The SLP is, therefore, dismissed. Ad interim stay granted earlier shall stand vacated. The balance of the amount payable to the respondent pursuant to the order of the High Court shall be paid over to her within six weeks from today.

The case of the petitioner is fully covered by the cited judgment of the Hon''ble Supreme Court. In view of above, the instant petition is disposed of in terms of the judgment passed in SLP No. 10355 of 1997 (supra).