
(2008) 09 P&H CK 0014
In the Punjab And Haryana At Chandigarh

Kundan Lal

APPELLANT

Vs

Haryana Vidyut Parasaran Nigam Ltd.

RESPONDENT

Date of Decision : 23-09-2008

Acts Referred:

Citation : (2009) 153 PLR 31 : (2009) 5 SLR 362

Hon'ble Judges : Rakesh Kumar Garg, J;M.M. Kumar, J

Bench : Division Bench

Final Decision : Allowed

Judgement

M.M. Kumar, J.—Costs of Rs. 5,000/- have been paid in the Court.

2. The petitioner has approached this Court with a prayer for reimbursement of medical expenses relating to the treatment availed by him for a

chronic disease known as Carcinoma Splenic Flexure. The petitioner underwent a composite treatment of surgery, followed by Radiotherapy and

then Chemotherapy. On presentation of medical bills, the respondent has approved and reimbursed the medical expenses with regard to indoor

treatment which included the bills of surgery as well as Radiotherapy. The claim made by the petitioner regarding the expenses incurred on the

treatment of Chemotherapy has been rejected on the ground that the Chemotherapy is a treatment administered in the OPD. The stand taken by

the respondents in the written statement is that the petitioner is availing fixed medical allowance and therefore, the treatment availed by him is not

admissible because it was obtained in OPD.

3. Having heard the learned Counsel, we are of the considered view that the treatment of the disease, namely, Carcinoma Splenic Flexure has to

be treated under a composite scheme which commenced with the surgery and

then Radiotherapy followed by Chemotherapy. Neither of these can be separated from each other as all the three dovetail each other although the treatment of Chemotherapy is given outdoor and therefore, merely on that basis the claim made by the petitioner could not have been rejected. We fail to understand as to how the medical bills with regard to Chemotherapy has been rejected once it is a part of the integrated treatment. Therefore, the writ petition deserves to be allowed.

4. Mr. Raman Sharma, learned Counsel for the petitioner has submitted that the expenses incurred in respect of Chemotherapy were reflected in the medical bills which were submitted but the bills after processing have been returned to him. He further states that the bills have already been verified and he may be permitted to resubmit the bills within one week.

5. In view of the above the writ petition is allowed.

6. The petitioner shall re-submit the verified bills within one week and the respondent shall make payment within two weeks thereafter. It is made clear that no further addition in the bill is to be made. Further bill, if any, may be submitted as per rules.

Sd/- Rakesh Kumar Garg, J.