
(2015) 07 P&H CK 0313
In the Punjab And Haryana At Chandigarh
Case No : CWP-4098 of 2013 (OandM)

Shardha Nand Sharma

APPELLANT

Vs

State of Haryana and Others

RESPONDENT

Date of Decision : 20-07-2015

Acts Referred:

Constitution of India, 1950 — Article 226, 227

Citation : (2015) 180 PLR 366

Hon'ble Judges : Jitendra Chauhan, J.

Bench : Single Bench

Advocate : Sandeep Kotla, for the Appellant; Sourabh Mohunta, DAG, for the Respondent

Final Decision : Dismissed

Judgement

Jitendra Chauhan, J.—This civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of directions to the respondents to grant full medical reimbursement amounting to Rs. 3,84,486/- to the petitioner against his medical bills. It is contended that the petitioner was employed as Superintending Engineer in the Irrigation department and retired from the same post on attaining the age of superannuation. On 04.03.2011, the petitioner had suffered with chest pain and was immediately rushed to Government Hospital, Emergency Department, Sohana which was not equipped to treat the ailment suffered by the petitioner, therefore, he was referred to the Government approved hospital i.e. Medanta Hospital, the Medicity Sector 38, Gurgaon. He was discharged on 16.03.2011. The petitioner was charged an amount of Rs. 5.30 lacs which includes the hospital as well as the medical bills and other expenses amounting to Rs. 3,84,486/- for the treatment. Thereafter, he forwarded the entire treatment record including medical bills to the respondents for reimbursement of the expenses incurred on the treatment. The respondents had sanctioned an amount of Rs. 3,03,641/- out of Rs. 3,84,486/-, as against the entitlement for the full reimbursement, as the treating hospitals is

on the penal of the State Government, therefore, it is asserted that the petitioner is entitled for the full reimbursement.

2. Learned counsel for the petitioner relies upon "Om Parkash Goyal v. State of Haryana" passed in CWP No. 12400 of 2006, decided on 19.08.2008 and "Milap Singh v. Union of India and another"" passed in CWP No. 4415 of 2002, decided on 13.07.2004.

3. On the other hand, the learned State counsel submits that reimbursement of medical expenses of the petitioner has been made as per the Haryana Government Medical Reimbursement Policy. The Haryana Government vide Memo dated 06.05.2005 (Annexure P-7) has formulated reimbursement policy called as "Review of Reimbursement Policy" applicable to all Haryana Government Employees/Pensioners/Dependents. In terms of Para 2 of this instruction dated 06.05.2005, full reimbursement will be allowed for treatment in all the Government Hospitals in the State of Haryana including Government Hospitals located outside the State of Haryana subject to the condition that the claimant would produce a certificate from the Medical Superintendent/Head of that Institution, declaring it as a Government run hospital/institution and in terms of Para 3 of instruction dated 06.05.2005, the reimbursement on the expenditure incurred for treatment in any of the non Government hospital out of the 20 hospitals approved vide Government letter dated 19.11.1986 with the concurrence of Finance Department vide their UO dated 22.10.1986 and also for the expenditure incurred for treatment in any of the non-Government hospital out of the 7 hospitals approved vide Government letter dated 08.01.2003 shall be made at the rate equal to PGI, Chandigarh rates. He further states that Medanta-the Medicity Global Health Pvt. Ltd. Sector 38, Gurgaon was approved by the State Government vide instructions dated 23.02.2011 and in terms of this instructions, the petitioner is entitled for medical reimbursement claim equal to PGI rates + 75% of the balance amount of the total claim.

4. I have heard the rival contentions of both the parties.

5. The learned counsel for the petitioner has not been able to convince the Court as to how the amount released towards the treatment is not as per the Review of Reimbursement Policy dated 06.05.2005 (Annexure P-7). Moreover, Medanta-the Medicity Global Health Pvt. Ltd. Sector 38, Gurgaon had been approved by the State Government vide instructions dated 23.02.2011 and in terms of these instructions, Rs. 3,03,641/- has already been paid towards reimbursement of the medical expenses to the petitioner.

No other argument raised.

This Court finds no merit in the present petition.

Dismissed.