

**(2022) 02 CHH CK 0042**  
**In the Chhattisgarh High Court**  
**Case No : Writ Petition (S) No. 74 Of 2022**

Suman Kumar Karsh

APPELLANT

Vs

State Of C.G.

RESPONDENT

**Date of Decision :** 16-02-2022

**Acts Referred:**

Chhattisgarh Police Services (Special Medical Attendance) Rules, 2009 — Rule 3

**Citation :** (2022) 02 CHH CK 0042

**Hon'ble Judges :** Sanjay K. Agrawal, J

**Bench :** Single Bench

**Advocate :** Sunil Pillai, Sandeep Dubey

**Final Decision :** Disposed Of

## Judgement

1. The petitioner is Assistant Sub Inspector working in the Department of Police being posted at Police Station City Kotwali, Rajnandgaon. His mother was treated for Corona Virus disease at Life Care Hospital, Juna Bilaspur, Bilaspur. The petitioner incurred an amount of ₹ 6,52,930/- for treatment of his mother which he claimed, but that amount has not been reimbursed to him till this date leading to filing of this writ petition.

2. Affidavit of the Director General of Police, Chhattisgarh has been filed on 17-1-2022 pursuant to the order of this Court dated 11-1-2022 wherein it is stated that in accordance with the Chhattisgarh Civil Services (Medical Attendance) Rules, 2013 (for short, 'the Rules of 2013'), medical bills of the petitioner's mother have been sent to the Director, Medical Education, for proceeding in accordance with the Rules of 2013, but it is informed thereafter, in the return filed on behalf of the State / respondents on 11-2-2022 that the said bills have been returned by the Director, Medical Education on 27-1-2022 stating that in accordance with the Chhattisgarh Police

Services (Special Medical Attendance) Rules, 2009 (for short, 'the Rules of 2009'), the State Government has also issued a circular on 3-12-2019 filed as Annexure R-3 whereby it has been mentioned that if the Rules of 2009 are applicable to police officers then competent authority under the Rules of 2009 will be the authority to sanction the said amount, therefore, now the competent authority under the Rules of 2009 would consider and dispose of the medical bills of the petitioner's mother in accordance with the Rules.

3. I have heard learned counsel for the parties and considered their submissions and also went through the record with utmost circumspection.

4. It is not in dispute that in case of the petitioner, the Rules of 2009 would be applicable and the Rules of 2013 would not be applicable, as the

petitioner was at that time working in Rajnandgaon, which is a Naxalite affected area and by virtue of Rule 3 of the Rules of 2009, the Rules of 2009

would be applicable and the State Government has issued circular dated 3-12-2019 (Annexure R-3) in which it has clearly been stated that the

Department of Home (Police) will be the competent authority under the Rules of 2009. The medical bills of the petitioner's mother have already

been returned by the Director, Medical Education.

5. In that view of the matter, respondents No.1 & 2 are directed to consider and dispose of the case of the petitioner for reimbursement of medical

expenses incurred by him for his mother's treatment in accordance with the Rules of 2009 within a period of 30 days from the date of receipt of a

copy of this order.

6. With the aforesaid observation and direction, the writ petition stands finally disposed of. No order as to cost(s).