
(2012) 09 JH CK 0168

In the Jharkhand High Court

Case No : Writ Petition (C) No. 1782 of 2003

Umesh Prasad Raman

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision : 17-09-2012

Acts Referred:

Citation : (2012) 09 JH CK 0168

Hon'ble Judges : Aparesh Kumar Singh, J

Bench : Single Bench

Advocate : Rajesh Kumar, for the Appellant;

Judgement

Aparesh Kumar Singh

1. Heard learned counsel for the parties. The petitioner has filed this writ petition for a direction upon the respondents to pay the entire medical expenses for a sum of Rs. 1,60,803/- incurred by the petitioner for the purpose of his heart operation at Jeevak Heart Hospital and Research Centre. Patna during course of his service.

2. According to the petitioner, he was posted in the Department of Police when he got himself examined for his heart ailment by the Civil Surgeon, Sadar Hospital. Ranchi and he was informed that he required urgent heart operation and thereafter the authorities in the RMCH after thorough examination and angiography found double vessels disease. It is stated on behalf of the petitioner that the authorities opined that he needed immediate heart operation at AIMS, New Delhi. The petitioner thereafter made representation of financial assistance by the State and he approached the Jeevak Heart Hospital and Research Centre, Patna, where he was admitted on 31st July, 2000 and discharged on 3rd August, 2000 after operation, vide " discharge certificate dated 3rd August, 2000, Annexure 5 to the writ petition. The petitioner submits that in the process he incurred cost of Rs. 1,60,803/- and has requested the Department for reimbursement of the said amount. Since, the respondents did not give

response, the petitioner was compelled to move this Court.

3. Learned counsel for the respondent-State, however, submits that since the petitioner was transferred to the State of Bihar after bifurcation, he was relieved from the Ranchi District Police Force to Special Branch, Jharkhand, Ranchi on 16.7.2001 and here as allocated the Bihar cadre pursuant to the cadre bifurcation and the petitioner was directed to provide the documents in relation to the claim for medical reimbursement vide letter dated 4th August, 2012.

4. The petitioner, thereafter, replied vide letter dated 16.8.2012 annexing all documents for the claim of medical reimbursement of Rs. 1,60,808, Annexure D to the I.A. No. 2518/2012. The claim of the petitioner has, thereafter, been forwarded to the Health Medical Education and Family Welfare Department, Government of Jharkhand, Ranchi vide letter dated 18.8.2012. The petitioner was asked to appear in the next meeting of the State Medical Council vide letter dated 21st August, 2012 with all related documents in support of his claim for medical reimbursement.

5. It has further been submitted on behalf of the counsel for the respondent-State that the matter is being looked into by the concerned Department and a decision will be taken in accordance with law.

6. In the circumstances, this writ petition is disposed of with a direction to the respondent No. 3, Secretary, Department of Health, Government of Jharkhand, Ranchi and respondent No. 2. Director General of Police, Jharkhand, Ranchi to consider the claim of the petitioner for his medical reimbursement pursuant to the treatment of the petitioner, as sated herein-above, within a period of three months in accordance with law, rules and circulars, which are applicable in cases of medical reimbursement of the employees under the State. The petitioner shall also co-operate by appearing before the concerned medical council as stated by the respondents. Needless to say that if the claim of the petitioner is found genuine and legally admissible in accordance with rules, circulars and law, the same will be paid to the petitioner, within a period of six weeks thereafter.

7. With the aforesaid observation and direction, this writ petition stands disposed of. I.A. No. 2518 of 2012 also stands disposed of.