
(2000) 11 P&H CK 0199
In the Punjab And Haryana At Chandigarh
Case No : Civil Writ Petition No. 9124 of 2000

Usha Rani

APPELLANT

Vs

State of Punjab and others

RESPONDENT

Date of Decision : 27-11-2000

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2000) 11 P&H CK 0199

Hon'ble Judges : R.L. Anand, J

Bench : Single Bench

Advocate : Mr. Ashok Sharma Nabhewala, for the Appellant; Mr. Gurveen H. Singh, DAG, for the Respondent

Judgement

R.L. Anand. J.—Written statement has been filed today in Court and it is taken on record.

2. Learned counsel for the petitioner submits that the controversy involved in the present writ petition has already been decided by the High Court vide order dated 16.3.2000 passed in Civil Writ Petition No. 7477 of 1999, vide which the dependent of the Government Servant is also entitled to the medical reimbursement like his father or mother.

3. The controversy in this case was very short. The petitioner is seeking medical reimbursement by seeking quashment of the order dated 6.8.1999 Annexure P-5 vide which the medical reimbursement bill for a sum of Rs. 1,32,750/- of Shri Ram Parsad, the husband of the petitioner, was disallowed. Shri Ram Parsad undertook heart by-pass surgery.

4. The case set up by the petitioner is that her husband is a member of the family and as such he is entitled to the medical reimbursement which is permissible to the members of the family.

5. The only defence of the State is that since the husband of the petitioner is getting Rs. 250/- per month as pension from the Central Government, therefore,

he is not entitled to medical reimbursement. At the most he can get the medical reimbursement from his department. This aspect of the case has already been considered by the High Court as mentioned above.

In this view of the matter, the present writ petition is allowed by setting aside the order Annexure P-5 and the respondents are directed to reimburse the medical bill of Rs. 1,32,750/- of the husband of the petitioner within two months from the receipt of the copy of this order failing which the petitioner will be entitled to interest at the rate of 12%.

6. Petition allowed.