



**292 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

1) CWP-18491-2017
Date of decision: 11.08.2025

Bhag SinghPetitioner
Versus

State of Punjab and others ...Respondents

2) CWP-3570-2018

Parampreet SinghPetitioner
Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Iqbal Singh Saggu, Advocate and
Mr. Tejveer Singh Saggu, Advocate
for the petitioner(s).

Ms. Arundhati Kulshreshtha, AAG, Punjab.

Mr. Ashwani Prashar, Advocate
for respondent No.4.

HARPREET SINGH BRAR, J. (ORAL)

1. This common order shall dispose of the aforementioned civil writ petitions as they arise from a similar factual matrix. However, for the sake of brevity, the facts are taken from CWP-18491-2017.

2. The present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* for quashing the impugned orders dated 04.11.2015 (Annexure P-8) and order dated 07.12.2015 (Annexure P-10) passed by the Director, Health and Family Welfare, Punjab, whereby the medical bills of the petitioner have only been reimbursed partially.

3. Learned counsel for the petitioner(s) *inter alia* contends that the



case of the petitioner(s) is squarely covered by the Resolution No.1287 dated 30.03.1989 (Annexure P-15) and Resolution No.29 dated 18.07.1994 (Annexure P-16) passed by the Board of Directors of respondent No.4-Bank, employer of the petitioner, with regard to reimbursement of the medical expenses of hospitalization of its employees and their dependents. Further, the petitioner presented two bills for the treatment undertaken by him at Fortis Hospital, Mohali, an empanelled hospital as indicated by letter dated 05.10.2001 (Annexure P-19), for the amounts of Rs.15,63,439/- and Rs.8,67,005/- respectively. However, the same have only been reimbursed partially to the extent of Rs.7,32,606/- and Rs.5,24,138/-, as discernible from Annexures P-8 and P-10, respectively. He further contends that an amount of Rs.11,73,700/- has been illegally withheld from the petitioner as the medical bills ought to have been reimbursed in their entirety in accordance with the applicable Rules. Further still, there is no prerequisite to obtain the sanction of respondent No.3-Director, Health and Family Welfare, Punjab in the case of the petitioner as neither The Punjab State Cooperative Financing Instructions Services (Common Cadre) Rules, 1970-1971 or the Punjab State Cooperative Financing Instructions Services (Common Cadre) Rules, 1958 call for it. Moreover, the cuts imposed by respondent No.3 are based on the policy decision of the Government of Punjab dated 13.02.1995(Annexure R-1), which was not adopted by the respondent-Bank, which is an autonomous body with its own rules and regulations as well as a Board of Directors. Further, previous bills presented by the petitioner were reimbursed in full, without any sanction from respondent No.3. Learned counsel places reliance on the judgment rendered by the Full Bench of this Court in *Jasbir Singh and others vs. Commissioner(Appeals), Jalandhar Division and others 2011(4) R.C.R.*



(Civil)1.

4. Learned State counsel has filed additional affidavit of Director, Health and Family Welfare, Punjab, on behalf of respondent No.3 in the Court today and the same is taken on record.

5. Mr. Ashwani Prashar, Advocate for respondent No.4 submits that the Common Cadre Rules were amended in the year 2010 and the Managing Director was appointed as a competent authority instead of the Board of Directors. On the basis of the authority vested in him, on 14.08.2015, he sent the bills submitted by the petitioner for scrutiny and recommendation of respondent No.3. However, he fairly concedes that the amendment carried out in the year 2010 was struck down by the Full Bench of this Court in ***Jasbir Singh(supra)***.

6. Having heard learned counsel for the parties and after perusing the record, this Court is of the considered opinion that a clear and uniform policy must be formulated to address the issue in question. As such, the Board of Directors of the respondent-Bank is directed to take a fresh policy decision with respect to medical reimbursement claims after reconsidering Resolution No.1287 dated 30.03.1989 (Annexure P-15), Resolution No.29 dated 18.07.1994 (Annexure P-16) as well as Notification No. 12/193/94-5HB-5/5251-54 dated 13.02.1995(Annexure R-1) issued by the Government of Punjab. The needful shall be done within a period of 03 months from receipt of a certified copy of this order. Needless to say, the decision taken shall be applicable to all such cases in the future, for the employees of respondent No.4.

7. Further, without commenting on the merits of the case, both the abovementioned writ petitions are disposed of with a direction to the Board of Directors of respondent No.4 to consider the respective claims of the



petitioner(s) strictly in terms of the policy and Rules applicable at the time of their treatment, within a period of three months from the date of receiving a certified copy of this order, by passing a speaking order, after affording the petitioner(s) an opportunity to be heard. Further, the decision taken thereof shall be conveyed to the petitioner(s) and if they are found entitled to the relief sought, the same shall be granted forthwith by respondent No.4.

(HARPREET SINGH BRAR)
JUDGE

11.08.2025

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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No