

## **HC turns down plea against rejection of reimbursement claim**

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Taking up a petition filed by a father for reimbursement of medical expenses incurred on his advocate son's treatment, the Punjab and Haryana High Court has made it clear that the decision taken by the state government to treat unmarried and unemployed children, irrespective of their age, as dependents on their parents remained unchanged. "Conversely, upon a child having been married, the same would be a clear pointer towards being treated as independent".

Justice Tejinder Singh Dhindsa added: "Even though the instructions governing free medical treatment to the dependents of officers/officials of the Haryana Government would require a liberal construction, yet they cannot be stretched to a level of absurdity".

The ruling came on a petition filed by Ram Swaroop against Haryana and other respondents against the rejection of his claim for reimbursement of the medical expenses incurred on the treatment of his son, who had sustained head injuries in an accident in November, 2006

Going into the background of the instructions, Justice Dhindsa observed earlier instructions dated September 24, 1979, were liberalised and the facility of free treatment to the spouse of a retired officer/official was made available to the parents, minor children and even minor grandchildren provided, if they were fully dependent.

In August, 2005, unmarried and unemployed children were to be treated as dependent on their parents, but no age limit was fixed.

Thereafter, Haryana Commissioner and Secretary, Health Department, issued instructions in October, 2007, whereby a decision was taken that the facility of providing free medical treatment would be admissible to minor children/minor grand-children even after attaining the age of majority until they become independent subject to condition that the retired officer/official furnishes an affidavit to such effect and the drawing and disbursing officer concerned is completely satisfied with the same.

"Son of the petitioner was a major, a practising advocate and was already married as on the date of the accident. These are the conceded facts. No exception as such can be taken to the view of the District and Sessions Judge contained in the impugned order rejecting the claim of the petitioner for reimbursement of the medical expenses incurred upon the treatment of his son. No interference is called for. The writ petition is dismissed".

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