

**DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION
CHANDIGARH DISTRICT COMMISSION
CONSUMER COMPLAINT NO. DC/AB1/44/CC/529/2021**

Ajaib Singh

PRESENT ADDRESS - S/o Raghbir Singh, R/o H. No. 48, Mubark Mehal Colony, Sangrur, District Sangrur.CHANDIGARH,CHANDIGARH.

.....Complainant(s)

Versus

Director Prosecution And Litigation And Additional Secretary

PRESENT ADDRESS - Government Of Punjab, Sector 17,
Chandigarh.CHANDIGARH,CHANDIGARH.

District Attorney Sangrur

PRESENT ADDRESS - District Attorney SangrurCHANDIGARH,CHANDIGARH.

Director Health And Family Welfare

PRESENT ADDRESS - Government Of Punjab Sector 34,
ChandigarhCHANDIGARH,CHANDIGARH.

.....Opposite Party(s)

BEFORE:

**AMRINDER SINGH SIDHU , PRESIDENT
BRIJ MOHAN SHARMA , MEMBER**

FOR THE COMPLAINANT:

Ajaib Singh, Adv. Gazi Mohd. Umair (Advocate)

FOR THE OPPOSITE PARTY:

Director Prosecution And Litigation And Additional Secretary

DATED: 16/03/2026

ORDER

DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION-II, U.T. CHANDIGARH

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Consumer Complaint No	:	529 of 2021
Date of Institution	:	17.08.2021
Date of Decision	:	16.03.2026

Ajaib Singh son of Raghbir Singh, R/o H.No.48, Mubark Mehal Colony Sangrur,

District Sangrur.

... .. Complainant

Versus

1. Director Prosecution and Litigation and Additional Secretary, Government of Punjab, Sector 17, Chandigarh.
2. District Attorney Sangrur.
3. Director, Health and Family Welfare, Government of Punjab, Sector 34, Chandigarh.

... .. Opposite Parties

BEFORE: MR.AMRINDER SINGH SIDHU, PRESIDENT

MR.B.M.SHARMA, MEMBER

Argued by: Ms.Arzoo Modi, Advocate Proxy for Mr.Gazi Mohd., Advocate for Complainant.

Sh.Navdeep Goyal, Govt. Pleader for OP No.1 & 2.

None for OP No.3.

ORDER BY AMRINDER SINGH SIDHU, M.A.(Eng.),LLM,PRESIDENT

1] The complainant has filed the present consumer complaint pleading that he retired from the department of OP No.1 as Deputy District Attorney. Unfortunately in the year 2018, the complainant has some health problem, he got his check up done and it came to know that he is suffering from Prostrate Cancer. The Prostrate cancer is very serious disease and it needs urgent

surgery and operation and therefore the complainant was admitted in the Fortis Hospital, Mohali from 08.10.2018 to 24.12.2018 and he was operated there by the doctors regarding the same. Necessary bills and other documents are attached with the complaint as Ex.C1. The complainant has spent an amount of Rs.4,01,951/-. A copy of the detail is attached as Ex.C2 with the complaint. The complainant has applied to the OP No.1 alongwith necessary documents for his medical reimbursement as per the department rules and regulations. Copy of the application & necessary documents are attached as Ex.C3 with the complaint. Surprisingly on 21.01.2021, the OP No.1 passed an order vide endorsement dated 22.01.2021 and only an amount of Rs.1,11,750/- has been sanctioned to the complainant whereas it is very much clear that the complainant has spent an amount of Rs.4,01,951/- for his treatment at Fortis Hospital, Mohali and he has submitted all the necessary documents and bills to OP No.1. Copy of the order dated 22.01.2021 is attached as Ex.C4 with the complaint. It is pleaded that the order dated 22.01.2021 is illegal, null and void and unsustainable in the eyes of law since the complainant has served the department through his carrier with his honesty and sincerity and as per the department rules and regulations, he is entitled to claim medical reimbursement for his treatment. Only an amount of Rs.1,11,750/- has been granted to the complainant on the lower side which cannot be sustained in the eyes of law. Alleging the aforesaid act of OPs amounts to deficiency in service on their part. Hence, the present consumer complaint has been filed by the complainant with a prayer that order dated 22.01.2021 may be modified and an amount of Rs.4,01,951/- alongwith interest may be granted to the complainant alongwith compensation for mental agony & harassment and cost of litigation expenses.

2] OP No.1 & 2 in their written version have stated that the complainant applied for reimbursement of medical bills to District Attorney Office, Sangrur i.e. OP No.2 who has forwarded it to the Civil Surgeon, Sangrur. Thereafter the OP No.3 after verifying the said medical bills, sanctioned the medical reimbursement amount to the tune of Rs.1,11,750/- vide registered No.Medical(9)-Pb-2020/39360, dated 24.09.2020. It is denied that the order dated 22.01.2021 is illegal, null and void. The amount reimbursed to the complainant is as per rules and regulations and policies framed by the Govt. of Punjab. Moreover, the complainant failed to quote and supply any document/rules according to which he is entitled to the reimbursement of complete bill amount submitted by him.

It is stated that it is wrong that the amount is on lower side or not sustainable in the eyes of law. The complainant himself has stated in his affidavit and self declaration attached with the claim documents that he is ready to claim the medical expenses as per the rates prescribed by the government and now the complainant himself is backing out from the terms of the affidavit furnished by him. Even the complainant is also bound by the terms and conditions of the reimbursement form. The complainant is not entitled to the reimbursement of Rs.4,01,951/- or the interest thereon. Denying any deficiency in service as well as all other allegations, the OP No.1 & 2 have prayed for dismissal of the complaint.

3] OP No.3 in its written version has stated that bill of the complainant was considered and reimbursement was given as per Section 1(b) of policy of the government (Punjab Services (Medical Attendance) Rules, 1940- Reimbursement facilities to Punjab Government Employees and Pensioners.

Section 1(b) of policy runs as under:-

(b) Treatment in Private Hospitals in the country - It has been decided that employees and pensioners should be given freedom to get treatment in any private institute/hospital (of their own choice), in the country provided that he/she gives an undertaking out of his/her free will and in the unambiguous terms that he/she will accept reimbursement of expenses incurred by him/her on his/her treatment to the level of expenditure as per rates fixed by the Director, Health and Family Welfare, Punjab for a similar treatment package or actual expenditure whichever is less. The rate of for a particular treatment would be included in the advice issued by the District/State Medical Board. A committee of technical expert shall be constituted by the Director, Health and Family Welfare, Punjab to finalize the rates of various treatment packages and the same rate list shall be made available in the offices of the Civil Surgeons of the State.

However, this permission would be granted by Health and Family Welfare, Punjab on the advice of State Medical Board in case of the treatment in private Hospitals outside the State and the District Medical Board in case of treatment in private hospitals within the State.

It is stated that in compliance of section 1(b) of the policy, the complainant duly furnished an affidavit. The complainant himself failed to supply base (rules/law), on which he is entitled to claim as prayed for. Reimbursement had been granted to the complainant as per rules and policy of the Government. Moreover, the complainant himself furnished undertaking to accept the govt. rates with regard to treatment in private hospital. The claim of the complainant is false one. Proper appropriate amount has already been reimbursed to the complainant. Therefore, the present complaint is having no merit and the same deserves to be dismissed.

4] Complainant did not file replication to the written versions of OPs.

5] Parties led evidence in support of their contention.

6] We have heard the learned counsel for the complainant & govt. pleader for OP No.1 & 2 and gone through the documents on record.

7] The complainant, a retired Deputy District Attorney, was diagnosed with prostate cancer in the year 2018 and underwent treatment at Fortis Hospital, Mohali from 08.10.2018 to 24.12.2018. He incurred an amount of Rs.4,01,951/- towards his treatment. The complainant submitted all the requisite documents and bills to the OPs for reimbursement. However, the OPs sanctioned only Rs.1,11,750/- vide order dated 22.01.2021. Aggrieved by the partial reimbursement, the complainant has filed the present consumer complaint.

8] The OPs, in their written versions, have taken the plea that the reimbursement has been granted strictly in accordance with the Punjab Services (Medical Attendance) Rules, 1940 and as per the rates fixed by the Government. It is further contended that the complainant had furnished an affidavit agreeing to accept reimbursement as per government rates and is now estopped from claiming the full amount.

9] The OPs have relied upon Section 1(b) of the policy, which provides that reimbursement in private hospitals shall be limited to the rates fixed by the Government, subject to an undertaking by the employee/pensioner. However, a careful perusal of the record reveals that there is nothing on record to establish that the detailed terms and conditions of the said policy, particularly the prescribed package rates, were ever supplied, explained or

made known to the complainant at the relevant time.

10] Although the OPs have alleged that the complainant furnished an affidavit, no cogent evidence has been produced to show that the complainant had consciously and knowingly agreed to specific rate restrictions after being apprised of the applicable package rates. There is also no material on record to show that the rate list or policy conditions were ever shown to or acknowledged by the complainant by way of signature or otherwise.

11] In the absence of such proof, it cannot be presumed that the complainant had given an informed consent to restrict his claim to the government-prescribed rates. Mere submission of a standard form or affidavit, without demonstrating that the contents and implications thereof were duly explained and accepted, cannot bind the complainant to such limiting conditions.

12] It is further to be noted that the complainant had undergone treatment for a life-threatening disease, i.e., cancer, and incurred actual expenses supported by genuine bills and documents. The OPs have not disputed the authenticity of these expenses.

13] The action of the OPs in arbitrarily restricting the reimbursement without establishing that the complainant was duly made aware of and had agreed to such restrictions amounts to deficiency in service.

14] In view of the above discussion, the present consumer complaint succeeds, the same is accordingly partly allowed and the OPs are directed as under:-

- i) to pay the balance amount of Rs.2,90,201/- (Rs.4,01,951/- minus Rs.1,11,750/-) to the complainant along with interest @ 9% per annum from the date of filing of this complaint i.e. 17.08.2021 till the date of its actual realization.
- ii) to pay lump sum compensation of Rs.20,000/- to the complainant towards the harassment caused as well as litigation expenses.

This order be complied with by the OPs within 45 days from the date of receipt of its certified copy.

15] The pending application(s) if any, stands disposed of accordingly.

The Office is directed to send certified copy of this order to the parties, free of cost, as per Rules under The Consumer Protection Rules, 2020. After compliance file be consigned to record room.

Announced

16.03.2026

Sd/-

(AMRINDER SINGH SIDHU)

PRESIDENT

Sd/-

(B.M.SHARMA)

MEMBER

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AMRINDER SINGH SIDHU
PRESIDENT

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BRIJ MOHAN SHARMA
MEMBER