

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

C.P. No.D-113 of 2017

Date	Order with signature of Judge
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Before:-

Mr.Justice Muhammad Ali Mazhar

Mr.Justice Amjad Ali Sahito

Rao Taj MuhammadPetitioner

V/s

Secretary Establishment

& others.... Respondents

12-01-2021

Petitioner Rao Taj Muhammad is present in person.

Mr.Hussain Bohra, Assistant Attorney General.

Mr.Muhammad Iqbal, Deputy Director (Establishment), Intelligence Bureau, Government of Pakistan, Karachi Office is present.

Muhammad Ali Mazhar, J: The case of the petitioner is that he served as Inspector (BPS-17) from 1996 to 2016 in Intelligence Bureau and retired on 03.08.2016, however, during service he suffered chest pain and taken to NICVD (National Institute of Cardiovascular Diseases, Karachi), where he was admitted and provided medical treatment and Angiography was also conducted, which disclosed that three arteries of the petitioner were blocked. He was discharged with the directions to come after two weeks for operation. It is further contended that on 02.03.2015, when the petitioner was going to join his duty he felt chest pain, therefore, he was immediately taken to the nearest hospital i.e. National Medical Centre, Karachi, where he was admitted and the next day he was operated as an emergency case. The petitioner submitted his medial bills amounting to Rs.3,40,550/- for reimbursement, but was not paid despite various requests, hence he filed this petition.

2. The representative of the respondent Nos.2 and 3 appeared and filed their reply in which the employment status of the petitioner was not denied, but it is stated that the

petitioner submitted application for reimbursement, which was returned to him with the observation that he left against medical advice (LAMA) and admitted to a private hospital on his own wish. It is further stated that the proper procedure has not been adopted by the petitioner, therefore, his case was returned due to deficiencies and discrepancies. It is further stated that the petitioner has taken treatment from private hospital without referral from the authorized medical officer.

3. On the contrary, the petitioner submits that all requisite formalities were complied with but the reimbursement has not been approved. The petitioner argued that he admitted in NICVD and was given some later date for operation, but when he suffered severe chest pain he immediately approached to the nearest hospital in emergency for immediate treatment, where keeping in view the gravity of his medical condition he was admitted and operated on urgent basis.

4. Learned Assistant Attorney General as well as Mr. Muhammad Iqbal, Deputy Director (Establishment), Intelligence Bureau, Government of Pakistan both proposed that the matter may be referred to the competent authority i.e. respondent No.2 to consider the case of the petitioner and decide the issue of reimbursement to the petitioner. The proposal is accepted by the petitioner.

5. Let the matter of reimbursement be decided by the respondent No.2 (The Director General, Intelligence Bureau, Government of Pakistan, Islamabad) with some sympathetic consideration and pass appropriate order. As according to the petitioner he admitted in hospital in severe emergency and had the proper treatment not given on time, his life should have under serious threat. He further submits that in some other cases, reimbursements were allowed by the competent authority, where also the treatment was done by some private hospital. The petition along with pending application is disposed of in the above terms.

JUDGE

JUDGE

