

**M/s Maatri Medicity & Orthocare Hospital Vs.
State & Ors. a/w connected matters**

**CWP Nos. 2080/2026 a/w CWP Nos. 2081/2026,
16930, 16939, 16965, 16966, 20980, 8820, 15422,
17246,17248, 17249 12248, 12249, 17381, 17401,
17431, 16831, 17160, & 19209, 19210/2025, 2484,
2894 & 2941/2026**

10.04.2026 Present: Mr. Ajay Chandel, Advocate, for the petitioner(s) in all petitions except CWP No. 19209 & 19210/2025 and CWP No. 2484/2026.

Mr. Anup Rattan, Advocate General with Mr. Y.P.S. Dhaulta, Mr. L.N. Sharma, Additional Advocates General with Mr. Rajat Chaudhary, Assistant Advocate General, for respondents No.1, 3 & 4 in all the matters.

Mr. Shashi Shirshoo, Mr. Janak Raj and Mr. Anshul Attri, Central Government Counsel, for the respective respondents in the respective petitions.

Respondent No.4-Mr. Suneel Sharma, Special Secretary (Health)-cum-CEO, Rashtriya Swasthya Biima Yojna, present in person

A detailed order was passed in the matter on the previous date. Respondents–State have not complied with the said order. Respondent No.1 & 3 are not even present in the Court. Learned Advocate General apprises that respondent No.1–Secretary (Health) to the Government of Himachal Pradesh proceeded on leave yesterday, i.e., 09.04.2026, and will remain on leave till 18.04.2026. This practice of proceeding on leave before the hearing of the case, without even moving an application for exemption from appearance when directions in the order have not been complied with, is not expected from

a higher-ranking officer. With this observation, the matter is left at this stage for today's hearing.

2. Respondent No.3 is also statedly away on election duty, however, the officer currently holding charge of respondent No.4 has attended the hearing.

3. The matter has been heard at some length. Some arguments have been advanced on both sides with respect to the workability of the Ayushman Bharat Pradhan Mantri Jan Arogya Yojana (PM-JAY) Scheme in the respondents–State. The sharing pattern ratio for implementation of this scheme is 90:10 between the Union of India and the State Government. The ceiling limit for the Union of India is stated to be fixed @ Rs. 1052/- or in other words, for about 5 lakh families of State of Himachal Pradesh, statedly registered on the Government of India portal under this scheme, the total liability of the Union of India works out to Rs. 49.71 crore, and Rs. 5.52 crore as the State share towards the remaining 10%. This being a Government of India scheme, let learned Central Government Counsel for respondent No.2 to take instructions regarding the working of this scheme in cases where the expenses incurred in the scheme exceed the ceiling limit, for releasing the amount due to the petitioners, who have statedly provided treatment to the beneficiaries of the scheme and are awaiting for release of their bills.

4. Under the HIM CARE Scheme, the only submission made by the learned Advocate General is that a vigilance inquiry of empanelled private hospitals under the HIM CARE Scheme has been contemplated by the State Government.

Before proceedings further in the matter, respondents—State are directed to place on record complete data with details including tabulations pertaining to the petitioners—the hospitals/institutions empanelled under the Scheme including facts & figures regarding the bills furnished by the petitioners, dates when furnished; dates of their consideration; dates of approval/disapproval of bills; reasons for disapproval; quantum of approved bills; dates of release of amount under approved bills; amount still due for release under approved bills; reasons as to why the bills, if any, have not been considered/approved within the period stipulated under the Scheme; complaints, if any, received by the State pertaining to the bills of the empanelled hospitals, date of receipt of complaints and nature thereof, on the next date.

List on **28.04.2026**, when respondent No.1 & 3 shall also remain present in the Court for assistance.

Jyotsna Rewal Dua
Judge

10th April, 2026 (Rohit)