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CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

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M.A. No. 426/2003 In
Original Application No. 1300 of 2002

New Delhi, this the 27th day of May, 2003

HON'BLE MR. KULDIP SINGH, MEMBER (JUDL)

K.S. Malhotra Vs. NCTD and Others

Present: Shri M.C. Dhingra, Counsel for the applicant.

Mrs. Renu George, Counsel for the respondents.

ORDER

MA 426/2003

This MA is filed by the applicant under Rule 8 (3) of the CAT (Procedure) Rules seeking clarification of the orders passed by this Tribunal in his OA.

2. The facts in brief are that the applicant had filed an OA which was registered as OA 1300/2002 and the said OA was decided on 13.1.2003.

3. The applicant in the present MA alleges that in the original OA the applicant had asked for plural reliefs and the court at the time of taking up the case for final hearing on 3.11.2002 pointed out that the plural reliefs cannot be asked for as the same are not permissible under Rule 10 of CAT (Procedure) Rules, therefore, the counsel for the applicant had confined his prayer only to one of the reliefs, i.e., medical reimbursement so the applicant states that the order does not specify about the dropping of the remaining reliefs and about granting permission to file a separate OA for the same.

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4. I think for this purpose no express permission is required because once the matter is not agitated and finally adjudicated, there is implied permission to file separate application in accordance with law. The applicant has also alleged in the OA that there is ambiguity with regard to reimbursement of medical claims pertaining to Kalra Hospital and the full reimbursement of bills of Escorts Heart Institute for follow up treatment of by-pass surgery. As regards the same are concerned, I have perused the order since the recognised hospital is only EHIRC and Kalra Hospital was not recognised so the relief was confined only to the payment of medical expenses incurred at EHIRC. There is no ambiguity to that extent and no further direction is required.

MA stands dismissed.


(KULDIP SINGH)
MEMBER (JUDL)

Rakesh