

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**



This the 10th day of January, 2020

RA No. 060/0001/2020

OA No. 060/1523/2018

MA No. 060/45/2020

CORAM: HON'BLE MR.SANJEEV KAUSHIK, MEMBER (J)
HON'BLE MR. MOHD. JAMSHED, MEMBER (A)

Raje Ram Lamba S/o Sh. Bisakhi Ram, aged 64 years, H. No. 124, Inder Persth Colony, Opposite New Tehsil Office, Uklana, Distt: Hisar – Haryana-125 001.

..... Applicant/Respondent in R.A.

BY ADVOCATE: Sh. I.S. Sidhu

VERSUS

1. Union of India through Comptroller and Auditor General of India, Pocket No. 9, Deen Dayal Upadhyay Marg, New Delhi – 110 001.
2. Accountant General (A & E), Punjab, Plot No. 21, Sector 17-E, Chandigarh.

..... Respondents/Review Applicants

ORDER (ORAL)

MR. SANJEEV KAUSHIK, MEMBER(J):-

1. The present RA has been filed by the applicants/respondents in OA to review order dated 21.12.2018. OA No. 060/1523/2018 was disposed of after hearing learned counsel for the parties. The order so passed, was based upon judicial pronouncements by this court as upheld by the jurisdictional High Court in UOI & Ors. Vs. Mohan Lal Gupta & Anr., 2018(1) SCT 687 and similar view has also been taken by the Apex Court. Being the law of the land on an issue, this court followed the judgment and allowed the case for medical reimbursement under C.S. (MA) Rules, 1944.



2. The respondents, challenged this order before the High Court, but the same was withdrawn with a liberty to file a Review Application before the Tribunal.

3. Alongwith RA, the review applicants have also moved an application for condonation of delay of 352 days in filing this RA. We have gone through this MA and do not see any reason to condone the huge delay of 352 days. The plea of referring the matter to the Headquarter is not a sufficient ground to condone the delay in a matter where a poor retired employee is before this court for reimbursement of his medical claim. Moreover, the grounds which the applicant in review petition is raising were available to him at the time of arguing. By the present Review Petition, the applicant wants to re-argue the entire matter afresh, which is not within the scope of revision. Moreover, the issue has already been settled by the Hon'ble Apex Court as indicated in **Shiva Kant Jha Vs. UOI, Writ Petition (Civil) No. 694 of 2015 decided on 13.04.2018.**

4. Since we disposed of the OA keeping in view the law laid down by this Bench, as upheld by the Hon'ble High Court and moreover, the applicants in RA have failed to satisfy us on delay, the present MA as well as RA stand dismissed.

**(SANJEEV KAUSHIK)
MEMBER (J)**

**(MOHD JAMSHED)
MEMBER(A)**

Dated: 10.01.2020

ND*