

CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

Original Application No. 040/00369/2019

Date of Decision: 13.11.2019

THE HON'BLE MRS. MANJULA DAS, JUDICIAL MEMBER

Shri Haripada Barman
Retired Divisional Commercial
Superintendent, Dibrugarh, now at 10,
Durgasarobar, Kamakhyagate,
Guwahati – 781009, Dist. – Kamrup
(Metro), Assam.

....Applicant

Applicant appeared in person

-VERSUS-

The Union of India represented by

1. The General Manger
N.F. Railway, Maligaon
Guwahati – 781011.
2. The Chief medical Director
F. N. Railway, Maligaon.
Guwahati – 781011.

....Respondents

By Advocate: Ms U. Das, Rly. SC

ORDER (ORAL)

MANJULA DAS, JUDICIAL MEMBER:

At the outset of moving of the application, Sri Haripada Barman, applicant who appears in person stated that he had submitted the medical certificates and bills for treatment of his own as well as his wife's before the railway authority with a prayer for reimbursement of the said medical bills. However, the respondent authorities did not respond to the same. It was further stated by Sri Barman that his is now aged about 84 years and at this age he repeatedly approached before the authority to reimburse the medical claims. Due to not taking any steps by the respondent authorities, the applicant has approached before this Tribunal by filing the present O.A. for redressal of his grievances.

2. Sri Barman further stated that he will be satisfied if a liberty be given to him to file a comprehensive representation enclosing all the medical certificates along with the medical bills before the appropriate authority for reimbursement of the medical bills as much as he and his wife is a CGHC card holders and by virtue of the decision of the **Hon'ble Supreme Court in case of Sh. Shiva Kanta Jha Vs Union of India** in the WP(C) No. 694 of 2015 delivered on 13.04.2018, he is entitled to get reimbursement of the medical bills.

3. In view of the above, it is felt that let the railway authority shall decide the case of the applicant so far the reimbursement of medical bill is concerned. Accordingly, without going into the merit of the case and without issuing notice to the respondents, as prayed by the applicant, I direct the applicant to make a detailed comprehensive representation by ventilating his grievances along with all the relevant medical certificates and bills as well as the decision of the **Hon'ble Supreme Court in case of Sh. Shiva Kanta Jha Vs Union of India** in the WP(C) No. 694 of 2015 delivered on 13.04.2018 before the appropriate railway authority within a period of one month from the date of receipt of copy of this order. On receipt of such comprehensive representation, the railway authority by giving opportunity of being heard to the applicant in person, decide the matter in the light of the decision of the **Hon'ble Supreme Court in case of Sh. Shiva Kanta Jha Vs Union of India (Supra)** and pass a reasoned and speaking order within a period of three months thereafter. If the railway authority found the applicant entitled to get reimbursement of the medical bills, the same shall be made to the applicant immediately but not later than one month.

4. It is made clear that the decision so arrived by the railway authority shall be communicated to the applicant forthwith.

5. With the above directions, O.A. stands disposed of accordingly at the admission stage. No order as to costs.

(MANJULA DAS)
MEMBER (J)

BD