



**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

OA No. 534/2019

New Delhi, this the 11th February, 2020

HON'BLE MS. ARADHANA JOHRI, MEMBER (A)

Rohtas Kumar Ex. Phone Mechanic
Aged 63 Years
S/o late Sh. Dhan Singh, R/o Vill & PO: Asaudah
Teh- Bahadurgarh, Distt.- Jhajjar, Haryana

....Applicant

(By Advocate: Sh. U. Srivastava with Ms. Neelima Rathore)

Versus

1. Mahanagar Telephone Nigam Ltd. though its CMD,
Mahanagar Doorsanchar Sadan CGO Complex,
Lodhi Road, New Delhi
2. The Executive Director, MTNL
Khursheed Lal Bhawan, New Delhi-50

....Respondents

(By Advocate: Sh. Jasbir Bidhuri for R-2)

ORDER (ORAL)

The applicant Sh. Rohtas Kumar has retired on 31.05.2014 from the services of the respondents. This matter pertains to reimbursement of medical bills amounting to Rs. 13079/- . The facts of the matter are that several years back the respondents had made a change in the policy of reimbursement of medical claim by including an insurance scheme managed by Third Party Agency (TPA). Since the applicant did not become a member of the scheme



by making a card of TPA, his medical bill could not be reimbursed by TPA. This Tribunal passed orders on 19.07.2018 in OA No. 88/2017 upholding the right of the applicant to obtain relief/medical reimbursement in case his claim is allowed, and directed the respondent MTNL to examine the claim themselves or with the TPA - as legally permissible, and make payment of the entitlement of the applicant. Thereafter, payment of Rs. 56414/- was made to the applicant on 06.12.2018. The applicant has claimed that Rs. 13079/- remains to be paid. He has filed this OA for this purpose.

2. The respondents have fairly stated that they are willing to make the payment but the bills for the same have to be submitted and only then, can the payment be processed. They have further stated that the applicant claimed a sum of Rs. 69,493/- out of which, Rs. 56414/- was paid. The applicant has not submitted either original or duplicate bills for the remaining amount of Rs. Rs. 13,079/- in the absence of which no payment can be made.

3. During arguments, learned counsel for the applicant stated that all bills were submitted to the TPA and it was the duty of the respondents to get the bill from the TPA. However, in their rejoinder, they have stated that they submitted all original bills to the respondents (i.e. MTNL). This appears to be contradictory.

4. When the respondents have released the majority of the medical claims that have been made by the applicant, there would



be absolutely no reasons for them not to release the rest of the bills which were given to them. Further Annexure A3 is a discharge summary from Sir Ganga Ram Hospital for total amount of Rs. 59,391/- of which Rs. 4,100/- is room rent charges (which are inadmissible). Therefore, it is quite clear that the expenditure incurred at Sir Ganga Ram Hospital was only of Rs. 59,391/- of which the eligible expenditure of Rs. 56414/- has been reimbursed by the respondents.

5. However, in case the applicant files bills pertaining to the amount of 13,079/- which is now claimed, within a period of eight weeks from today, the respondents is directed to process it and make payment of eligible amounts as per rules within a period of eight weeks thereafter.

6. With the above directions, the OA is disposed off. No order as to costs.

**(Aradhana Johri)
Member (A)**

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