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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.1936/99

New Delhi this the 25th day of January, 2000.

HON'BLE MR. JUSTICE V. RAJAGOPALA REDDY, VICE-CHAIRMAN

William Paul,
R/o 635, Janta Flats,
G.T.B. Enclave,
Delhi-110093.

...Applicant

(By Advocate Shri M.K. Singh, though none appeared)

-Versus-

1. Government of NCT Delhi,
through Principal Secretary,
Delhi.

2. Medical Superintendent,
Guru Teg Bahadur Hospital,
Delhi-95.

...Respondents

(By Advocate Shri Vijay Pandita)

O R D E R (ORAL)

Learned counsel for the applicant is not present, even on the second call. I proceed to consider the case on merits.

2. Heard the learned counsel for the respondents.

3. The applicant was an Office Superintendent. He retired on 30.4.97. He states that he suffered a heart-attach on 9.11.97 and was admitted to G.T.B. Hospital. He was, however referred from G.T.B. Hospital for further treatment to G.B. Pant Hospital. He was brought back from G.B. Pant Hospital as no bed was available vacant in C.C.U. He was, therefore, again admitted in G.T.B. Hospital on 14.11.97. He further states that on the same date he

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was referred to Apollo Hospital for angiography and further management from G.T.B. Hospital by Dr. S. Dwedi, Professor of Medicine incharge of Preventive Cordiology. The photocopy of the discharge summary is filed as Annexure A-3. The applicant was operated upon in Apollo Hospital. He submits that for his treatment he had to spend an amount of Rs.1,59,498/- at Apollo Hospital from his own pocket. But the grievance of the applicant is that respondents in spite of several reminders and also legal notice have not reimbursed the amount.

4. It is the case of the respondents that the applicant has not submitted his claim properly. He was asked to submit clarifications as to the claim of reimbursement that was preferred by him as well as the original claim in the prescribed form. Without submitting the same the applicant has rushed to the Tribunal.

5. It is not in dispute that the applicant is entitled for the claim if he was properly referred by the G.T.B. Hospital to the Apollo Hospital. According to the respondents the form in which the claim made by the applicant was over-written on certain portions and that he was only referred to AIIMS and not to the Apollo Hospital. I also find from a perusal of the Annexures A-2-A that the applicant was referred to the G.B. Pant Hospital. I also do not find any bill regarding the amount paid to the Apollo Hospital to enable the applicant to claim the amount. This is not to state that the applicant is not entitled for the amount he has

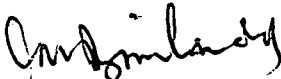
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claimed, if he has actually incurred the said amount for the medical treatment in the Apollo Hospital and if he has been referred to it. The case of the respondents appears to be that the applicant has not made the claim in the prescribed form. In the circumstances, unless the applicant satisfies the respondents that he had paid the amount to Apollo Hospital properly referred thereto, he is not entitled for reimbursement. It is, therefore, necessary for the applicant to make a proper claim, enclosing all the necessary bills and certificates. If such a claim is made in full, the respondents are directed to consider the same and reimburse the amounts to the applicant to which he is entitled, provided he has been referred to the Apollo Hospital, under the relevant rules. It is needless to say that the respondents would consider the same as early as possible.

6. With this direction the OA is disposed of.

No costs.


(V. Rajagopala Reddy)
Vice-Chairman (J)

'San.'