

CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH

NEW DELHI

OA 1873/98

(21)

New Delhi this the 24th day of January, 2000

Hon'ble Smt. Lakshmi Swaminathan, Member (J)

Shri R.S. Sharma
S/O Pt. Ram Kishan
Upper Division Clerk
M/o Surface Transport Govt. of
India, Transport Bhawan,
1, Parliament Street, New
Delhi-1
Resident of H.No.1564, Tula Nagar
Kotla Mubarakpur, New Delhi-3
(By Advocate Shri M.L.Chawla)

.. Applicant

Versus

1. Union of India through the
Secretary to the Govt. of India,
Ministry of Surface Transport,
Transport Bhawan, 1, Parliament
Street, New Delhi.

2. Secretary to the Govt. of India,
Ministry of Health & Family Welfare
Department of Health, Nirman Bhawan,
New Delhi-3

3. Director General
Directorate General of Health Services,
Central Govt. Health Scheme (CGHS)
R & H Section, Nirman Bhawan,
New Delhi.

.. Respondents

(By Advocate Shri S.M. Arif)

O R D E R (ORAL)

(Hon'ble Smt. Lakshmi Swaminathan, Member (J)

This O.A. has been filed by the applicant being aggrieved
that the respondents have failed to make full reimbursement of
sanctioned medical claims in terms of the order dated 13.3.97 passed
by the Tribunal in OA 2478/95 (Copy placed at Ann. A.3).

2. I have heard both the learned counsel for the parties and
perused the records.

3. Due to inadvertance the rejoinder filed by the applicant on
31.5.99 as mentioned OA wrongly/1893/98 instead of OA 1873/98. Shri
Chawla, learned counsel for the applicant has submitted another copy

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of the rejoinder to this OA which was filed on 31.5.1999 which is taken on record. Shri S.M.Arif, learned counsel for the respondents submits that copy of this rejoinder is available with him. (22)

4. Shri M.L.Chawla, learned counsel for the applicant submits that after filing reply by the respondents the applicant has filed rejoinder in which, in paras. 4.5 and 4.6, he has mentioned various heads of outstanding amounts still payable to him by the respondents. Sh.S.M.Arif, learned counsel has drawn my particular attention to the reply given by the respondents, in paragraphs 5.1 to 5.7 as well as para.6. In these paragraphs, the respondents have clearly stated that they have granted Rs.81257/- inclusive of interest and in addition to this they have requested the applicant to bring to their notice if any further grievance survives, which has not been done but the applicant has again rushed to the Tribunal without specifying the amounts he considers are still due to him. He has, therefore, submitted that the respondents are willing to re-consider further claims of the applicant and if any amount is due to him, they would take necessary action in accordance with the relevant rules and the aforesaid Tribunal's order dated 13.3.1997.

5. In the above facts and circumstances of the case and taking into account the submissions made by the learned counsel for the parties, the OA is disposed of with the following directions:-

Respondents to consider the further claims of the applicant submitted by him, more specifically in the rejoinder, and dispose of the same in terms of earlier directions of the Tribunal dated 13.3.97 in OA 2478/95. This shall be done as expeditiously as possible and in any case within two months from the date of receipt of a copy of this order. Parties to bear their own costs.

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Member (J)