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CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

D.A.No.1552/97

New Delhi: this the 27th MAY, 1998.

HON'BLE MR.S.R.ADIGE, VICE CHAIRMAN (A)

HON'BLE DR.A.VEDAVALLI, MEMBER(J)

C.V.Ranga Venkatesh,
S/o Shri C.N.V.Rao,
R/o 9188/4, Multani Chaudha,
Paharganj,
New Delhi .

... Applicant.

(By Advocate: Shri N.S.Verma)

Versus

Union of India through

1. The Secretary,
Govt. of India,
Ministry of Communication,
Department of Posts,
Dak Bhawan,
Sansad Marg,
New Delhi.

2. The Director General of Health Services,
(Central Govt. Health Scheme),
Govt. of India,

Ministry of Health and Family Welfare,
Nirman Bhawan,
New Delhi

.... Respondents.

(By Advocate: Shri Madhav Panikar with Sh.S.M.Arif)

JUDGMENT

HON'BLE MR.S.R.ADIGE VICE CHAIRMAN (A)

Applicant impugns respondents' order dated 4.6.97 (Annexure-A5) and seeks grant of CGHS facilities at Calcutta to his father, mother and unmarried sister.

2. We have heard applicant's counsel Shri N.S.Verma and respondents' counsel s/Shri Arif and Panikar.

3. AS per Health Ministry's O.M. dated 4.2.87 (ann. A), parents and unmarried sisters are deemed to be dependant on the Govt. employee for the purpose of CGHS facilities provided they are residing with the Govt. employee and their income from all sources including pension/pension equivalent of DCRG benefit is less than Rs.500/- p.m.

4. In the present case while applicant is posted in Delhi he seeks benefit of CGHS facilities for his parents and unmarried sister residing at Calcutta. No materials have been shown by applicant to establish that his parents and unmarried sister are residing with him in Delhi. Applicant's counsel seeks support from some circular issued by Health Ministry and reproduced in Sumay's Medical Attendance Rules to argue that applicant's parents should be continued to reside with him if they normally reside with him and parents may reside either with applicant or with his family members in some other station. There is no averment by applicant in the O.A. that applicant's parents and unmarried sister have resided with him even for a single day since he was transferred to Delhi. Furthermore, the impugned order dated 4.6.97 makes it clear that applicant's father who is a railway pensioner is drawing pension of Rs.1500/- p.m. This presumably is inclusive of allowances, because as per copy of PP0 dated 7.12.95 produced by applicant which is taken on record, applicant's father's pension

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is Rs.972/- p.m. The pension drawn by applicant's father is therefore clearly more than Rs.500/- p.m. which exceeds the limit prescribed in O.M. dated 4.2.87.

5. This O.A. is therefore totally devoid of merit to the point of being frivolous and we are seriously inclined to impose heavy costs over the applicant for wasting valuable judicial time, but having regard to the fact that applicant is not well paid, we do not do so. The O.A. is dismissed. No costs.

A. Vedavalli
(Dr. A. Vedavalli)
Member (J)

S.R. Adige
(S.R. Adige)
Vice Chairman (A)

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