

Central Administrative Tribunal
Principal Bench

O.A. 1825/2000

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New Delhi this the 29th day of September, 2000

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

L.P. Sharma,
S/o late Shri Shiv Dayal Singh,
R/o 347, Ward No. 4,
Mehrauli, New Delhi.

Applicant.

(By Advocate Shri R.K. Shukla)

Versus

Union of India, through

1. General Manager,
Northern Railway,
Baroda House,
New Delhi.

2. Secretary of Health
Ministry of Railway,
(Railway Board),
Rail Bhawan,
New Delhi.

3. Chief Personnel Officer,
Hqrs. Office,
Northern Railway,
Baroda House,
New Delhi.

Respondents.

O R D E R (ORAL)

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

Heard Shri R.K. Shukla, learned counsel for the applicant. This is ^{2nd} ~~1st~~ second round of litigation by the applicant against the respondents, for a direction to them to pay him certain medical reimbursements which, according to him, he is entitled to under the Rules.

2. The applicant had filed earlier O.A.1247/99 which had been disposed of by Tribunal's order dated 10.2.2000. In that order, the respondents were directed to look into the reply furnished by the applicant dated

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17.12.1999 and consider payment of the amount claimed by way of medical reimbursement by him in accordance with law. Shri R.K. Shukla, learned counsel has submitted that in pursuance of the Tribunal's order dated 10.2.2000, the respondents have given the applicant a cheque dated 23.6.2000 for Rs.25,300/- only. Learned counsel has submitted that this cheque has been sent to the applicant without any covering letter explaining as to how the respondents arrived at this figure and not at the figure he had claimed by way of medical reimbursement. Hence, this O.A.

3. In the present O.A., the applicant has claimed the balance amounts of Rs.36,188.10P which he states that he has incurred for medical treatment. The original claim of the applicant was for an amount of Rs.61,488.10P. I find force in the submissions made by the learned counsel for the applicant that in compliance with the Tribunal's order dated 10.2.2000 in OA 1247/99, the respondents ought to have considered the applicant's claim in accordance with law and also given him necessary details to explain as to how they have dealt with the matter. From the submissions made by the applicant's counsel it is seen that he states that the respondents have merely sent him a cheque of Rs.25,300/- dated 23.6.2000 without any explanation whatsoever.

4. In the above facts and circumstances of the case, the O.A. is disposed of with a direction to the respondents to give a reasoned and speaking order in accordance with law, as already directed by the Tribunal in

its order dated 10.2.2000 within two weeks from the date of

✓ receipt of a copy of this order, with intimation to the
applicant.. No order as to costs.

Lakshmi Swaminathan

(Smt. Lakshmi Swaminathan)
Member(J)

"SRD"