

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 330/00698/2020

Allahabad this the 02nd day of December, 2020

Hon'ble Mr. Devendra Chaudhry, Member-A

Afroz Alam S/o Late Shree Fasihuddin, R/o 156 B/9A/1C, Shams Nagar, Kareli, District-Prayagraj.

Applicant

By Advocates: Mr. Anil Kumar Srivastava
Mr. Gaurav Srivastava

Vs.

1. Union of India through Chief Labour Commissioner (Central) Shram Shakti Bhawan, Rafi Marg, New Delhi.
2. Deputy Chief Labour Commissioner (Central), Shram Bhawan, ATI Campus, Govind Nagar, Kanpur.
3. Regional Labour Commissioner (Central), Shram Bhawan, ATI Campus, Govind Nagar, Kanpur.
4. Assistant Labour Commissioner (Central), 189-A/4, Alopibagh, Allahabad (Prayagraj).

Respondents

By Advocate: Mr. Chakrapani Vatsyayan

ORDER

Shri Gaurav Srivastava, learned counsel for the applicant and Shri M.K. Sharma, holding brief of Shri Chakrapani Vatsyayan, learned counsel for the respondents, both are present in court. Hearing conducted through Video Conferencing. The learned Counsel for the parties agreed that the audio and visual quality is proper.

2. Heard on the issue of medical reimbursement and perused the records available in the PDF.

3. Learned counsel for the applicant has submitted that Rs. 6,58,571/- as medical reimbursement for the treatment of cancer decease is sanctioned vide order dated 14.10.2020 but the same has not yet been released in favour of the applicant. However, bills amounting to Rs.16,08,403/- are also yet to be paid. Learned counsel for the applicant has further submitted that in this regard the representations have been continuously made viz. 20.07.2020 and 04.08.2020 but, the same have not yet been decided in respect of admissible medical reimbursement.

4. Since the treatment concerns cancer decease, which is very ominous decease involving expensive treatment and the employee is very low paid category, hence in the interest of justice and on humanitarian ground, it would be well that the respondents release the sanctioned amount of Rs.6,58,571/- forthwith and also to take a decision quickly on the pending medical reimbursement claim.

5. Shri M.K. Sharma appearing for counsel for the respondents has submitted that the representations dated 20.07.2020 and 04.08.2020 have already been decided by the respondents wherein it was found that only Rs.6,58,571/- is admissible to the applicant. Accordingly they have sanctioned the aforesaid amount and the same would be released in due course of time. As regards claim of Rs.16,08,403/- same needs to be ascertained from the respondents.

6. In view of the limited prayer as mentioned above, no fruitful purpose will be served in keeping this matter pending. Accordingly, the present O.A. is disposed of at the admission stage, with a direction to competent authority amongst the respondents, to

release the sanctioned amount of Rs.6,58,571/- in ten days time in favour of the applicant from the date of receipt of a certified copy of this order. As regards medical bills amounting to Rs.16,08,403/-, the applicant is directed to make a fresh representation justifying the reasons thereof within ten days from today and the competent authority amongst the respondents is directed to decide the same by a reasoned and speaking order within eight weeks from the date of receipt of the representation along with certified copy of this order.

7. It is further directed that after disposal of representation, the respondents will communicate the decision to the applicant forthwith.

8. It is made clear that we have not expressed any view on merits of medical claim of Rs.16,08,403/- which shall be decided by the respondents.

9. No order as to costs.

(Devendra Chaudhry)
Member-A

/M.M/