



**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

Hearing by Video Conferencing

O.A. No.060/00512/2020

Chandigarh, this the 7th of August, 2020

**HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)
HON'BLE MS. AJANTA DAYALAN, MEMBER (A)**

Parmeshwar Sarup Dixit age 69 years son of Sh. M.M. Dixit, Retired Lab. Technician Central Research Institute for Ayurvedic Science (CRIA) Patiala.

R/o 18-D, 4th floor Ambay Apartment, Near Sar Market, District Patiala, Punjab (Group C) 147001

....Applicant

(BY: Mr. Surmukh Singh, Advocate)

Versus

1. Union of India through the Secretary to the Government of India, Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi – 110018.
2. Union of India through Secretary, Ayush Bhawan, B-Block, GPO Complex, INA New Delhi – 110001.
3. Central Research Institute for Ayurvedic Science through Director General, No. 61-65, Industrial Area, New Delhi – 110014.

... .Respondents

O R D E R(Oral)

SANJEEV KAUSHIK, MEMBER (J):

1. Applicant is before this Court impugning the order dated 13.01.2020 (Annexure A-1) whereby his claim for medical reimbursement has been rejected on the plea that retired Govt. employees are not covered under CS (MA) Rules, 1944.
2. Heard Mr. Surmukh Singh, learned counsel for the applicant.



3. Learned counsel argued that the impugned order is contrary to the law settled by this Court, and affirmed by the Hon'ble High Court of Punjab and Haryana in the case of **Union of India and Others Vs. Mohan Lal Gupta and Another**, 2018 (1) SCT 687, as also against the ratio laid down by the Hon'ble Supreme Court in the case of **Shiva Kant Jha Vs. Union of India** (W.P. (Civil) No. 695/2015 decided on 13.04.2018). Therefore, he prayed that the impugned order be quashed and set aside and the respondents be directed to reimburse the amount of medical claim of the applicant.

4. We have given our thoughtful consideration to the matter and gone through the judicial pronouncements relied upon by the applicant. After a perusal of the cited judgments, we are of the view that the impugned order is not sustainable. Therefore, the impugned order dated 13.01.2020 (Annexure A-1) is hereby quashed and set aside. The matter is remitted back to the respondents to give a fresh consideration to the claim of the applicant in the light of law laid down in the aforementioned judgments. The needful be done within a period of two months from the date of receipt of a certified copy of this order. No costs.

(AJANTA DAYALAN)
MEMBER (A)

(SANJEEV KAUSHIK)
Member (J)

Place: Chandigarh
Dated: 07.08.2020
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