



**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

Hearing by Video Conferencing

O.A. No.060/00608/2020

Chandigarh, this the 09th of September, 2020

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

Resham Singh son of Late Sh. Sandhu Singh aged about 70 years r/o VPO Mand, via Basti Baba Khel, Kapurthala Road, Jalandhar – 144021.

....Applicant

(BY: Mr. Mukesh Kumar Bhatnagar, Advocate)

Versus

1. Union of India through the Secretary to the Government of India, Ministry of Communication and I.T. Department of Posts, New Delhi – 110001.
2. Post Master General, Area-II, Sector 17, Chandigarh-160017.
3. Senior Supdt. Of Post Officers, Jalandhar Division, Jalandhar – 144001.

... .Respondents

O R D E R(Oral)

SANJEEV KAUSHIK, MEMBER (J):

1. The present O.A. is directed against the order dated 29.01.2020 whereby the claim of the applicant for medical reimbursement has been turned down on the plea that the retirees and their family members are not covered under CS(MA) Rules, 1944.
2. Heard.



3. Learned counsel for the applicant vehemently argued that the view taken by the respondents vide impugned order dated 29.01.2020 is contrary to the law settled in the case of **Baldev Raj Sharma Vs. Union of India and Others** (O.A. No. 060/00668/2018 decided on 18.10.2018) wherein this Court, after considering the law 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) and the Hon'ble Jurisdictional High Court in the case of **Union of India and Others Vs. Mohan Lal Gupta & Another** (2018 (1) SCT 687), has held that the retirees are also covered under CS (MA) Rules, 1944. He, therefore, prays that the impugned order be quashed and set aside and the respondents be directed to reimburse the admissible medical expenses to the applicant.

4. We have given our thoughtful consideration to entire matter.

5. After perusing the relied upon judgments, we are of the considered view that the impugned order dated 29.01.2020 (Annexure A-1) cannot sustain in law and is, therefore, quashed and set aside. The matter is remitted back to the respondents to re-appreciate the same in view of the law settled by this Court in the case of Baldev Raj Sharma (supra) and reimburse the admissible medical expenses to



the applicant within a period of three months from the date of receipt of a copy of this order. No costs.

(AJANTA DAYALAN)
MEMBER (A)

(SANJEEV KAUSHIK)
Member (J)

Place: Chandigarh
Dated: 09.09.2020

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