



**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...

O.A. No.60/814/2020 Date of decision: 02.11.2020

...

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

...

Harvinder Rana son of Late Sh. Baldev Singh Rana, aged about 61 years, R/o H. No.4373-B, Ranjit Pura, Backside Khalsa College, Amritsar-143001. Group C.

...APPLICANT

**BY: SH. MUKESH KUMAR BHATNAGAR, COUNSEL FOR
THE APPLICANT.**

VERSUS

1. Union of India through the Secretary to Government of India, Ministry of Communication and I.T. Department of Post, New Delhi-110001.
2. Post Master General, Area-II, Sector-17, Chandigarh-160017.
3. Senior Superintendent of Post Offices, Amritsar Division, Amritsar-143001.

...RESPONDENTS



ORDER (Oral)

...
SANJEEV KAUSHIK, MEMBER (J):-

1. The pensioner is before this Court for invalidation of the impugned order dated 06.05.2020 (Annexure A-1), whereby his claim for reimbursement of medical expenses incurred by him has been turned down on the ground that pensioners are not covered under Rule 1 of the CS (MA) Rules, 1944.
2. Heard learned counsel for the applicant, who vehemently argued that the impugned view of the respondents is contrary to law settled by this Court based upon the judgment passed 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. He also argued that this Court while deciding number of petitions has negated the similar view taken by the respondent department which has been upheld by the jurisdictional High Court by dismissing the writ petition in the case of **Union of India & Anr. vs. Mohan Lal Gupta & Ors.**, 2018 (1) SCT 687. In this regard, he also draw our attention to order dated 18.10.2018 passed by this Court in the case of **Baldev Raj vs. Union of India & Ors.** Thus, he argued that impugned order be quashed and set aside and matter may be remitted back to the respondents



to reconsider the same in the light of ratio laid down in the case of Mohan Lal Gupta (supra).

3. We have given our thoughtful consideration to the entire matter and also gone through the impugned order.
4. We are of the considered view that impugned order is not sustainable and accordingly the same is quashed and set aside. The matter is remitted back to the respondents to reconsider the same in the light of ratio laid down in the case of Mohan Lal Gupta (supra) by passing a reasoned and speaking order expeditiously but not later than three months from the date of receipt of a certified copy of this order. Admissible benefits in terms of OM be released.
5. No costs.

(AJANTA DAYALAN)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Date: 02.11.2020.

Place: Chandigarh.

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