

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH**

RA 133/2005 in  
OA 2723/2004

New Delhi, this the 06th day of July, 2005

**Hon'ble Mr. S. K. Malhotra, Member (A)**

1. Union of India,  
Ministry of Communication and  
Information Technology,  
Department of Posts,  
New Delhi.
2. Chief Engineer (Civil),  
N.E. Zone, Department of Posts,  
Dak Bhawan, New Delhi
3. Shri Shiv Prakash,  
Asstt. Engineer (Admn.),  
O/o Chief Engineer (Civil),  
N.E. Zone, New Delhi - 110 001

Review Applicants/  
Original Respondents

**Versus**

1. Shri Surender Kumar Ahi,  
S/o Late Shri Jagannath,  
R/o 104, Narain Nagar,  
Laxmi Nagar Exten.,  
Delhi - 110 092
2. Indraprastha Medical Corp. Ltd.,  
Through its Director,  
(Indraprastha Apollo Hospital),  
New Delhi - A Joint Sector Venture of  
Govt. of Delhi,  
Sarita Vihar, Delhi-Mathura Road,  
New Delhi - 110 044.

... Respondent/Original  
Applicant

... Original Respondent

**ORDER (In Circulation)**

**By Hon'ble Mr. S.K. Malhotra**

This application has been filed by the applicants seeking review of the order dated 05.04.2005 in OA 2723/2004.

2. In the above order, the respondents were directed to reimburse the balance amount of the medical expenses incurred by the applicant on the treatment of his wife till she is discharged from Indraprastha Apollo Hospital

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within a period of three months and to make necessary arrangement to get the patient admitted in AIIMS within a period of one month. A direction was also given that after admission of the patient in AIIMS, the medical bills will be raised by the AIIMS directly to the department concerned for making necessary payment directly to the hospital.

3. The review application has been filed on the ground that the Tribunal had erred in not appreciating that the Doctor attending on the patient was of the opinion that the condition of the patient was stable and she could be taken home or transferred to some other Government Hospital like AIIMS, Dr. RMLH or GB Pant etc. and the patient's family was advised accordingly. Respondent No.2 in the RA (Indraprastha Medical Corpn. Ltd.) had also offered to shift the patient to a hospital where she could be managed, but despite this the patient was not shifted. A prayer has, therefore, been made in the RA that respondent No.2 (Indraprastha Medical Corpn. Ltd.) be directed to claim the medical expenses incurred on the treatment of the patient till 25.9.2004 as per CGHS Rules and the rest of the expenses may be recovered from the applicant in the OA.

4. The Tribunal can review its order only if a glaring mistake apparent on the face of record is pointed out. No such mistake has been pointed out by the applicants in the RA. The fact that the applicant in the OA had not shifted the patient from Indraprastha Apollo Hospital was known and was taken into consideration by the Tribunal while passing the order dated 5.4.2005.

5. I have gone through the entire record of the case along with the Review Application and find that the RA is totally misconceived. The order dated 5.4.2005 was passed after taking a conscious decision, considering the facts and circumstances of the case and the submissions made on behalf of the parties. Findings, which are recorded in the above order, do not suffer from any mistake, much less a glaring mistake, on the face of the record. The applicants in the RA by means of this application have only tried to reopen the case on merit which is not permissible under the Rules. The provisions of Rule 1 of the order XLVII of the Code of Civil Procedure, 1908, are also not attracted in this case.

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6. In view of the above, the Review Application turns out to be without any merit and is accordingly dismissed.



**(S.K. Malhotra)**  
**Member (A)**

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