

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Dated : This the 22nd day of SEPTEMBER 2004.

Original Application no. 1046 of 2004.

Hon'ble Mr. A.K. Bhatnagar, Member-J.

Dr. G.P. Shukla, S/o Late M.C. Shukla,
Working as Principal Scientist, Indian Grassland
and Fodder Research Institute, Jhansi.
R/o 1171/1, New Roy Ganj, Sipri Bazar,
JHANSI, U.P.

... Applicant

By Adv : Sri A.D. Prakash
Sri H.P. Pandey

V E R S U S

1. Indian Council of Agricultural Research
through its Secretary, Krishi Bhawan,
New Delhi, Ministry of Agriculture, Govt. of India.
2. Director, Indian Grassland and Fodder Research
Institute Gwalior Road, Jhansi U.P.

... Respondents

By Adv : Sri B.B. Sirohi

O R D E R

A.K. Bhatnagar, JM

By this OA the applicant has prayed for direction to the respondents to settle all the pending medical claim bills of the applicant since 7.3.2003 amounting to Rs. 3,38,573/- and onwards as and when required under medical in accordance with provisions of Central Services (Medical Attendance) Rules 1944. He has further prayed for direction to the respondents not to withdraw facility of reimbursement of bills for medical treatment and attendance without any valid reasons in contravention of statutory rules till required for survival of the applicant's son on medical advice.



...2/-

2. The facts giving rise to this OA are that the applicant's son, Sri Ashutosh Shukla, studying in MD (Physician) Course in Medical University Vinnitsa Ukraine under Ukrainian Ministry of Public health. He has suffered from Kidney trouble and has referred by Dean Pirogo State Medical University to All India Institute of Medical Sciences, New Delhi (AIIMS) for further treatment. He was admitted in AIIMS as indoor patient on 08.12.1998 and was discharged on 31.12.1998, while his outdoor treatment continued. On 10.02.1999, the Competent Authority granted reimbursement of treatment in AIIMS. On 05.07.1999 an advance of Rs. 1,35,000/- was sanctioned for meeting expenses on renal transplant. The applicant was sanctioned 8 advances and 38 medical bills from 07.12.1999 to 07.03.2003. The applicant submitted a representation for releasing medical bills on 03.07.2003. The applicant sent reminders also, thereafter, but no action has been taken by the department so the applicant has filed this OA.

3. The learned counsel for the applicant submitted that after submitting various representations, the applicant was operated for biopsy of grafted Kidney in AIIMS on 07.01.2004 and, thereafter, biopsy report was prepared on 19.01.2004. The applicant again, thereafter, filed a representation with all the details including his financial distress. But no action has so far been taken by the respondents.

4. Learned counsel for the applicant has submitted that the applicant would be satisfied if he is granted time with liberty to file a fresh representation before the Competent Authority/respondent no. 2 and a direction be

3.

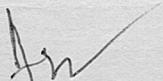
issued to the respondents to decide the same as per rules within a specified period by a detailed and reasoned order.

5. Learned counsel for the respondents has no objection, if the representation of the applicant is decided by the respondents as per rules.

6. In view of the above the applicant is granted liberty to file a fresh and detailed representation before before respondent no. 2 within a period of four weeks from the date of receipt of copy of this order, who shall decide the same as per rules by a reasoned and speaking order, under intimation to the applicant, within a period of three months from the date of receipt of such representation alongwith copy of this order.

7. The OA stands disposed of with the above direction.

8. There shall be no order as to costs.


Member J

/pc/