

No  
Medical  
Reimbursement

BU

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL**  
**AHMEDABAD BENCH**

O.A. No. 467/1992  
T.A. No.

DATE OF DECISION 1-12-1992

Shri M.M. Sanghavi Petitioner

Shri B.B. Gogia Advocate for the Petitioner(s)

Versus

Union of India and Others Respondent

Shri Akil Kureshi Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. N.V. Krishnan

Vice Chairman.

The Hon'ble Mr. R.C. Bhatt

Member (J)

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not? >
3. Whether their Lordships wish to see the fair copy of the Judgement? >
4. Whether it needs to be circulated to other Benches of the Tribunal? >

Mahipatbhai Mansukhlal Sanghavi  
A-57, Saurabh  
Neminath Society,  
Raiya Road, Rajkot-5

Applicant

Advocate                      Shri B.B. Gogia

Versus

1. Union of India  
Through Secretary,  
Department of Telecom  
Government of India  
New Delhi -1
2. Chief General Manager,  
Western Telecom Region,  
Bombay
3. Director General  
Deptt. Of Telecommunication  
Government of India ,  
New Delhi

Respondents.

Advocate                      Shri Akil Kureshi

ORAL JUDGEMENT

IN

O.A. 467 of 1992

Date: 1-12-1992

Per Hon'ble      Shri N. V. Krishnan

Vice Chairman.

Shri B.B. Gogia Advocate for the applicant  
On our request, Shri Akil Kureshi, Standing Counsel, takes  
notice of this application and enters appearance for the  
respondents. A copy of the application is served on him.

2. The applicant's grievance relates to the non-settlement of his medical claims amounting to Rs.35727/- The claims arose when he was hospitalised some time in August 1988. It is seen from the annexures filed in the Application that correspondence has been going on between the applicant and the respondents.

As a matter of fact Annexure A-10 is the letter dated 30-8-1990 from the applicant to the Director Maintenance, W/T/R, regarding his medical reimbursement claim. The applicant has also made representation on 20-2-1991 (Annex. A-11) to the Additional General Manager, Grievance Cell, in the office of the 2nd respondent. This representation was forwarded by letter dated 20-2-1991 (Annex.A-12) to the DE.TM/W (M) Rajkot and the letter dated 28-12-1991 (Annex.A-13) which is addressed to the AO (T.A.) in the office of the 2nd respondent, sending the copy of the Circular of the Commissioner of Health and Medical Services, Gandhinagar, giving the rates obtaining in K.A.Hospital Bombay for angioplasty and by-pass surgery. In short, the matter has been pending for long in correspondence with various parties. As the claim arose in 1988 it is necessary to settle it early.

3. The applicant has filed this Application for a direction to the respondents to reimburse the medical claim made by him with interest at 18% from the due date.

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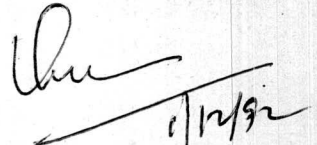
4. <sup>have</sup> In the view we are taking in this matter <sup>have</sup> we admitted the application and we felt it appropriate to dispense with the formal reply of the respondents and dispose it of after hearing the parties.

5. There is no justification for delaying the claim. The applicant must be told finally either that his claim has no substance or that only a part of his claim can be sanctioned. It is only proper to direct respondents to finally dispose of the claim within a reasonable period.

6. Hence, we dispose of this application with the direction to the second respondent i.e. the Chief General Manager, Western Telecom Region, Bombay, to take into consideration this matter and ~~xx~~ arrange to dispose of the applicant's ~~xxx~~ claims finally within a period of four months from the date of receipt of this order. We make it clear that in case the second respondent requires any clarifications or orders from respondent no.1, he should obtain them expeditiously informing them about time limit prescribed in this order for compliance. He should also treat this application as an additional representation filed by the applicant for disposal by him. The Registry shall send a copy of this application to him along with this order.

7. The application is disposed of accordingly.

  
( R.C. Bhatt)  
Member (J)

  
(N.V. Krishnan)  
Vice Chairman

Mahipatbhai Mansukhlal Sanghavi  
A-57, Saurabh  
Neminath Society,  
Raiya Road, Rajkot-5

Applicant

Advocate

Shri B.B. Gogia

Versus

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Through Secretary,  
Department of Telecom  
Government of India  
New Delhi -1
2. Chief General Manager,  
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Advocate

Shri Akil Kureshi

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