

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

OA No.467/2013

Friday, this the 6th day of December, 2013.

CORAM

Hon'ble Mr.Justice A.K.Basheer, Member (J)

Gangadharan, age 61 years
 S/o V.T.Sankaran
 (Retired Goods Guard, Southern Railway, Erode)
 Residing at Vattathodi House, Paruthipara Post
 Shornur, Palakkad Dist-679 121. Applicant

(By Advocate: Mr.T.C.Govindaswamy)

Versus

1. Union of India represented by the General Manager, Southern Railway Headquarters Office, Park Town P.O. Chennai-3.
2. The Senior Divisional Personnel Officer Southern Railway, Salem Division, Salem-5.
3. The Chief Medical Superintendent Railway Hospital, Southern Railway, Salem Division, Salem-5.
4. The Chief Medical Director, Southern Railway Headquarters Office, Park Town P.O. Chennai-3.

Respondents

(By Advocate: Mr.Sunil Jacob Jose, SCGSC)

The Original Application having been heard on 6th December, 2013, this Tribunal on the same day delivered the following order:-

ORDER

Applicant is a retired railway employee. He superannuated on May 31, 2012 while working as Goods Guard under Southern Railway. The grievance of the applicant in this Original Application is that the respondents are refusing to reimburse the medical expenses incurred by him in connection with the treatment of his wife for cervical cancer. In

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Annexure A1 representation, applicant had claimed reimbursement of a total sum of Rs.1,61,392.28 being the expenses incurred by him for the treatment in the Medical College Hospital, Thrissur, Al-Shifa Hospital, Perinthalmanna and at Regional Cancer Centre, Thiruvananthapuram. In response to the above request, the applicant was informed that his claim is being vetted by the appropriate authority.

2. In the written statement, it is contended by the respondents that reimbursement of medical expenses is applicable only to emergent cases with proper reference by the Authorized Medical Attendant/Government/Private recognized hospitals. But in the case of the applicant, there was no element of emergency and it was also noticed that applicant's wife had not been admitted in the hospital. But still, the authority concerned had taken a lenient view, noting that reimbursement claim can be considered giving post facto approval for referring the case to Regional Cancer Centre, Thiruvananthapuram. A photo copy of the letter issued by the Chief Medical Officer in the Chennai office of the Southern Railway indicating the above course of action has been produced and marked as Annexure R-1.
3. The respondents have further stated that the claim of the applicant was being sent to Additional Finance Manager, Salem "for necessary vetting of factual/rule position" and that after the said vetting, the papers will be sent to the General Manager, Southern Railway for his sanction after obtaining the concurrence of the Chief Financial Adviser and the Chief Accounts Officer, Chennai in respect of availability of funds/admissibility. It is also stated that payment will be made on priority basis as and when the applicant's turn arises, as many cases of such nature are pending for reimbursement, subject to availability of funds.
4. Having considered the entire facts and circumstances of the case particularly the sympathetic view taken by the respondents, I do not find any reason to retain this Original Application on the file any more.

5. Therefore this Original Application is disposed of with a direction to respondent No.1 to take appropriate further action in the matter and ensure that the grievance of the applicant is redressed and his claim settled at the earliest. This shall be done as expeditiously as possible at any rate within three months from the date of receipt of a copy of this order. No order as to costs.



(Justice A.K. Basheer)
Judicial Member

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