

Central Administrative Tribunal Lucknow Bench Lucknow

Original Application No: 357 /2006
This, the 11th day of January 2008

Hon'ble Mr. Shanker Raju, Member (J)

Parmeshwari Prasad, aged about 61 years, son of Late Shri J.S. Saxena, resident of 16/3 Sarjini Naidu Marg, New Lodg Morning Star, Lucknow.

Applicant.

By Advocate : Sri Praveen Kumar

Versus

1. Union of India through the Secretary, Ministry of defence, New Delhi.
2. The Engineer in Chief, Engineering Head quarter, Kashmir House, New Delhi.
3. The Garrison Engineer, Amritsar Cantt. Near GualMandi (PSEB), Sub Station, Amritsar, Punjab.
4. The Area Accounts Office, Jalandhar, Jalandhar Cantt.

Respondents.

By Advocate: Shri Rajendra Singh.

Order (Oral)

By Hon'ble Mr. Shanker Raju, Member (J)

It is not disputed in the present case that the medical treatment incurred was in emergency. Although the claim was made for an amount of Rs. 59,206/- out of which only 31,532/- have been reimbursed. In the light of the decision of the Apex Court in Suman Rakheja Vs State of Haryana 2004 (13) SCC 562, what is permissible in an emergency treatment is expenditure incurred as per AIIMS rate and over head 3/4th amount incurred. In such view of the matter, OA. stands disposed of with a direction to the respondents to reimburse to the applicant medical expenditure incurred by applicant at AIIMS rate and 3/4th of the rates over and above amount incurred on medical treatment within three months from the date of receipt of copy of this order. No costs.


(Shanker Raju)
Member (J)