

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,

J A I P U R .

T.A. No. 344/92

Date of decision: 6.7.93

ABDUL HAQ

: Applicant.

VERSUS

UNION OF INDIA & ORS

: Respondents.

Mr. P.D. Khanna

: Counsel for the applicant.

Mr. K.N. Shrimal

: Counsel for the respondents.

CORAM:

Hon'ble Mr. Justice D.L. Mehta, Vice-Chairman

Hon'ble Mr. O.P. Sharma, Administrative Member

PER HON'BLE MR. O.P. SHARMA, ADMINISTRATIVE MEMBER:

The plaintiff filed a civil suit in the court of learned Munsif (East), Ajmer which has been transferred to this Tribunal and has been registered as T.A. No. 344/92.

2. Initially, the applicant's wife had undergone an operation in the Railway Hospital, Ajmer and because of certain problems which could not be resolved in the Railway Hospital, she was referred by letter dated 23.1.1980 by doctors in the Railway Hospital to JLN Hospital, Ajmer. She took treatment as an indoor patient there. The applicant claimed the amount of Rs. 1540.83p for the charges incurred in JLN Hospital. The Railway authorities have declined to reimburse the charges on the ground that the applicant's wife was referred to JLN Hospital only for examination and advice and not for treatment.

3. If the doctors in the Railway Hospital could not themselves finally decide what further line of treatment was to be adopted in the case of the wife of the applicant and they referred the patient to JLN Hospital, there was nothing improper on the part of the patient to have started taking treatment from the JLN Hospital. After all JLN Hospital is also a reputed Government-run medical institution of Ajmer and the expenses incurred were not in taking treatment from a private hospital. The Railway authorities are being too technical in holding that since the applicant's wife was referred to JLN Hospital only for examination and advice, the applicant could

not be reimbursed if she took treatment in that hospital. We are indeed surprised that the Railway authorities have resisted payment of such a petty amount for such a long period when there is no dispute about the amount of expenditure incurred and the fact that it has been incurred in taking treatment from a Government hospital to which the patient was referred by their own hospital.

4. The respondents are directed to reimburse the aforesaid amount of Rs. 1540.83p to the applicant within a period of two months from the date of the receipt of this order.
5. The T.A. is disposed of accordingly, with no order as to costs.


(O.P. SHARMA)
Administrative Member


(D.L. MEHTA)
Vice-Chairman