

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD
AT HYDERABAD

REVIEW APPLICATION NO.38/97

in

ORIGINAL APPLICATION NO.248/96

Between :- DATE OF ORDER : 01-09-1997.

P.Nageswara Rao

.. Petitioner/Applicant

And

1. Union of India,
rep. by its General Manager,
SC Rlys, Sec'bad.
2. Medical Director,
SC Rly Hospital,
Sec'bad (Lalaguda).
3. Chief Medical Director,
Medical Branch, Rail nilayam,
Sec'bad.

.. Respondents/Respondents

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Counsel for the Applicant : Shri P.P.Vittal

Counsel for the Respondents : Shri J.R.Gopal Rao, SC for Rlys

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CORAM:

THE HON'BLE SHRI B.S.JAI PARAMESHWAR : MEMBER (J)

(Order per Hon'ble Shri B.S.Jai Parameshwar,
Member (J)).

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(Order per Hon'ble Shri B.S.Jai Parameshwar, Member (J)).

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Heard Sri P.P.Vital, counsel for the review petitioner and Sri Krishna Mohan for Sri J.R.Gopal Rao, standing counsel for the respondents.

2. Applicant in the O.A. has filed this review application praying for reviewing the judgement dt.24-2-97 passed in the O.A. The applicant was absent when the OA was decided.

3. The applicant feels aggrieved by the observations made in the end of para-4 and in para-7, wherein it was meant to state that Circular dt.12-9-95 relied upon by the respondents was prospective and that the applicant cannot claim any benefit by that circular. Further in para-7 it was observed that the applicant was entitled for reimbursement of medical expenses to the extent of 50% as per Annexure R-1.

4. Now, during the course of arguments, the learned counsel for the applicant brought to my notice that the circular dt. 12-9-95 relied upon by the respondents and also the earlier circular dt.6-7-95. It is submitted that the circular dt.6-7-95 is applicable to the case of the applicant as he was hospitalised on 9-7-95.

5. Para-1 of circular dt.6-7-95 reads as follows :-

(i) Medical expenses incurred by a retired railway employee and his spouse for treatment involving an operation of cancer, heart surgery or renal failure in a recognised specialised hospitals/Government hospitals should be reimbursed fully upto a limit of

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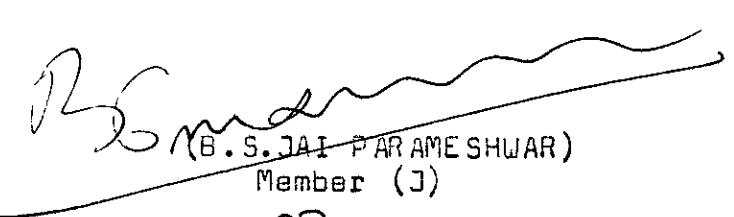
(19)

rupees one lakh per persons and overall ceiling of rupees two lakh. A medical Board consisting of 3 doctors, 2 of which should be non-Railway doctors of the rank of professor of Medical College is the competent authority to refer such cases to the recognised specialised hospitals/ Govt. Hospitals. This facility will be available only once in life time and the limit of rupees one lakh is applicable for only one operation and not for a number of operations involving smaller amounts.

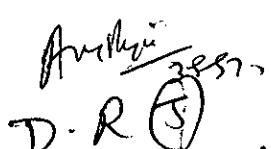
6. ^{above} In view of the paragraph, learned counsel for the applicant prays that the respondents be directed to reimburse the medical expenses in accordance with the principles enunciated by the Hon'ble Supreme Court of India and Jabal-pur Bench of this Tribunal as detailed in para-7 of the order dt.27-2-97 and in accordance with the circular dt.6-7-95.

7. In view of the above said arguments, the respondents are directed to take note of para-1 of the circular dt.6-7-95 and consider the claim of the applicant for reimbursement of his medical expenses.

8. Review Application is allowed accordingly. No costs.


(B.S. JAI PARAMESHWAR)
Member (J)

1.9.97


Anil
D.R. S.

Dated: 1st September, 1997.
Dictated in Open Court.

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