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CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
HYDERABAD

ORIGINAL APPLICATION NO.502 of 1996

Date of decision: 10.6.96

Y. SUBRAHMANYAM

APPLICANT(S)

Versus

GM, SE RLY, CALCUTTA AND & ORS.

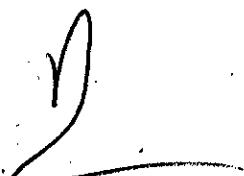
RESPONDENT(S)

FOR INSTRUCTIONS

1. Whether it be referred to the Reporters or not?
2. Whether it be circulated to all the Benches of C.A.T. or not?

Member ()

Vice-Chairman/Member (R. RANGARAJAN) (X)



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

W

ORIGINAL APPLICATION NO.502 of 1996

DATE OF ORDER: 10.6.96

BETWEEN:

Y.SUBRAHMANYAM

.. Applicant

and

1. The General Manager,
S.E.Railway, Calcutta-43,
2. The Chief Medical Superintendent,
S.E.Railway Hospital, Visakhapatnam,
3. The Chief Medical Officer,
S.E.Railway, Garden Reach,
Calcutta-43.

Respondents

COUNSEL FOR THE APPLICANTS: Shri K.VENKATESWARA RAO

COUNSEL FOR THE RESPONDENTS: SHRI D.F.PAUL, SC FOR RLYS.

CORAM:

HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMINISTRATIVE)

JUDGEMENT

Heard Shri K.Venkateswara Rao, learned counsel for the applicant and Shri D.F.Paul, learned standing counsel for the respondents.

2. This OA is filed for a direction to the respondents to arrange reimbursement of Rs.4536=90 incurred for undergoing cataract operation and intra-ocular lens implantation at L.V.Prasad Eye Institute at Hyderabad.

3. The applicant without taking any approval from the Railways though they ^{have} got infrastructural medical facilities, got the cataract operation and implantation of intra-ocular lens done in L.V.Prasad Eye Institute, Hyderabad. The learned counsel for the applicant contends that because of the emergency he has to undergo this implantation at

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L.V.Prasad Eye Institute without getting any proper permission from the Railways. The L.V.Prasad Eye Institute charged him an amount of Rs.4536=90 as charges for the above medical treatment. His representation dated 6.3.95 for reimbursement of the actual cost or Rs.6500/- whichever is less is rejected vide letter No.WHE/14/1665 dated 30.10.1995 (Annexure A-10) with the following observation:-

"In this re-imbursement case the treatment was undertaken at L.V.Prasad Eye Institute which is a private institute but not recognised by the Railway Board. Moreover the patient was not referred by a Railway Doctor."

4. Though the learned counsel for the applicant submits that this operation was done because of emergency, no reason is given to treat this emergency except saying that the operation is emergency. Though the Railways got infrastructure for performing the operation, the applicant had not exhausted the available medical facilities in the Railways before approaching the private institute. In case he has to go for a private institute, he has to get necessary approval from the Railways for reimbursement. As the operation was not considered as emergency one and he had not taken proper permission from the Railway authorities, the applicant has no case to reimburse the amount spent by him for the treatment he took in the L.V.Prasad Eye Institute.

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O.A. No. 502/96

Copy to:

1. The General Manager,
South Eastern Railway,
Calcutta - 43.
2. The Chief Medical Superintendent,
South Eastern Railway Hospital,
Visakhapatnam.
3. The Chief Medical Officer,
South Eastern Railway,
Garden Reach, Calcutta-43.
4. One copy to Mr.K.Venkateswar Rao, Advocate,
CAT, Hyderabad.
5. One copy to Mr.D.F.Paul, SC for Railways,
CAT, Hyderabad.
6. One copy to Library, CAT, Hyderabad.
7. One duplicate copy.

YLKR

24/6/96
O/A 502/96
TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN : M(A)

DATED: 10.6.96

ORDER/JUDGEMENT

M.A.NO/R.A/C.A.No.

IN

D.A.NO. 502/96

ADMITTED AND INTERIM DIRECTIONS ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDERS AS TO COSTS

No Spare Copy

