

(45)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD.

O.A. No. 465/97

Date of decision: 23-4-1997.

Between:

S.B. Niyogi. .. Applicant.

And

1. Union of India represented by its Secretary, Ministry of Defence (Production and Supplies, New Delhi).
2. Director General Aeroneautical Quality Assurance (formerly Director of Technical Development and Production (Air), Ministry of Defence, 'H' Block, DHQ P.O. New Delhi 110 011
3. Chief Resident Inspector, DGAQA, Ministry of Defence, Govt. of India, H.A.L. Post, Hyderabad 500042.
4. Controller of Defence Accounts, Staff Road, Secunderabad.
5. Sri H.C. Pande, Additional Director, CRI, DGAQA, Ministry of Defence, Govt. of India, H.A.L. Post, Hyderabad 500 042.

Respondents.

Counsel for the applicant: Sri L. Nanda Kishore.

Counsel for the Respondents: K. Ramulu.

CORAM:

HON'BLE SHRI R. RANGARAJAN, Member (A)

HON'BLE SHRI B. S. JAI PARAMESHWAR, Member (J)

JUDGMENT

(as per Hon'ble Sri R. RANGARAJAN, Member (A))

...

Heard Sri L. Nandakishore for the applicant. None
for the ~~applicants~~ Respondents.

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The applicant herein has been working as Deputy Chief Scientific Officer, Ministry of Defence, H-A.L. Post, Hyderabad since 1992. It is stated that he could not bring his family from New Delhi for non-availability of accommodation at Hyderabad.

It is submitted that he ^{was} provided with C.G.H.S. Card bearing No. 210988 and the same had been surrendered as his family is residing at Saritha Vihar and that area is not covered by the CGHS Scheme.

He submitted a representation dated 28-2-1993 (Annexure IV) to the O.A.) after surrendering his C.G.H.S. Card requesting for appointment of an Authorised Medical Attendant under CSMA Rules. Thereafter also he submitted a representation dated 20-3-1993 (Annexure V) to the O.A.) for the same relief. He was informed by letter No. 4829/DTD&P(Air)/Admin-III) dated 12-7-1993 (Annexure VI to the O.A.) that this matter has been referred to ~~Exco~~ DGHS (CGHS) for some clarification, and further action to appoint AMA will be taken on hearing from them.

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The applicant now submits that inspite of that letter, no action has been taken, thereby his family members are unable to approach the Medical Authorities and avail the medical facilities ~~maxx~~ available under CSMA Rules.

This O.A., is filed praying a direction to the 2nd Respondent and Respondent No.3 to appoint an Authorised Medical Attendant forthwith.

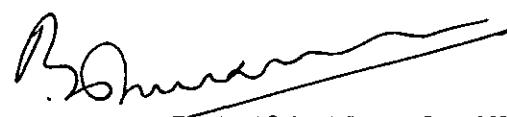
The learned counsel for the applicant submits that his family is languishing proper medical treatment at Delhi apart from other financial loss in view of non mention of AMA in accordance with the CMSA Rules. He further submits that he is not able to shift his family ^{for} ~~as~~ no proper residential accommodation is available to him. In view of the clarification asked ~~for~~ from DGHS by the respondents by letter dated 12-7-1993, it is just and proper to direct the Authorities for deciding this issue ~~so~~ in accordance with law very early.

In the result Respondent No.2 is directed to decide this issue in accordance with the provisions of the Rules in order to avail the medical facilities by the family members of the applicant residing

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at Saritha Vihar within two months from the date
of receipt of a copy of this Order.

The O.A., is ordered accordingly at the
admission stage ^{itself}. No costs.


B.S.JAI PARAMESWAR
23/4/97 Member (J)


R.RANGARAJAN
Member (A)

Date: 23--4--1997.

Dictated in open Court.

Dy. Registrar/SD

NOTE

REX.

C.C. today.

(B.O)



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Copy to:-

1. The Secretary, Ministry of Defence, (Production and Supplies, Union of India, New Delhi.
2. Director General Aeronautical Quality Assurance (formerly Director of Technical Development and Production (AIR), Ministry of Defence, 'H' Block, DHQ PO, New Delhi.
3. Chief Resident Inspector, DGAQA, Ministry of Defence, Govt. of India, H.A.L. Post, Hyd.
4. Controller of Defence Accounts, Staff road, Sec'bad.
5. Sri. H.C. Pande, Additional Director, CRI, DGAQA, Ministry of Defence, Govt. of India, H.A.L. Post, Hyd.
6. One copy to Sri. L. and Kishore, advocate, CAT, Hyd.
7. One copy to Sri. K. Ramulu, Addl. CGSC, CAT, Hyd.
8. One copy to Deputy Registrar(A), CAT, Hyd.
9. One spare copy.

Rsm/-

C.C. Today
23/4/97
30/4/97
SOLUTAX

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

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

DATED: 23/4/97

ORDER/JUDGEMENT

R.A/C.P/M.J.A. NO.

IN

D.A. NO.

465/97

ADMITTED INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

YLR

II COURT

A/CW Objct to N2

