

2.2  
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH

AT HYDERABAD

RA 57/99 IN OA 1415/97

DATE OF ORDER: 30-12-1999

Between:-

A.S.Sarma

...Applicant

And

1. Union of India rep. lby its Secretary to Govt. of India, M/o Communications, Dak Bhavan, ;Sansad Marg, New Delhi-1.
2. The Chief Postmaster General, AP Circle, Dak Bhavan, Abids, Hyderabad.
3. The Postmaster General, Visakhapatnam Region, Visakhapatnam-530003.
4. The Asst.Director General, Central Govt. Health Services, Begumpet, Hyderabad.
5. The Director General, CGHS, New Delhi.
6. The Medical Officer, Incharge P & T dispensary, Visakhapatnam.

...Respondents

—  
Counsel for the Applicant : Shri Krishna Devan

Counsel for the Respondents:Shri B.N.Sarma, Sr.CGSC

—  
CORAM:

THE HONBLE SHRI R.RANGARAJAN : MEMBER (A)

(Order per Hon'ble Shri R.Rangarajan, Member (A) ).

—  
...2.

✓

(ORDER PER HON'BLE SHRI R.Rangarajan, Member (A)).

Heard Sri Krishna Devan, learned counsel for the applicant and Sri B.N.Sarma, learned standing counsel for the respondents.

2. The applicant in this OA filed this R.A. for reviewing the judgement dated 27.7.1999. The applicant now prays for reviewing the judgement on the ground that similar relief has been given by the High Court of Delhi in the case of Narendra Pal Singh Vs. Union of India & Others (1999 LAB I.C.1861) (Page-16 to the R.A.) and also the judgement of this Tribunal in OA 340/95 (enclosed at page-11 to the RA).

3. The main point to be considered in this OA is whether the applicant is a CGHS Beneficiary or not to review the case on the light of the decisions referred to above. In those two cases quoted above there is no mention that the applicants therein were not the beneficiaries of the CGHS even though it is submitted by the learned counsel for the applicant that the applicants in the above referred case are not the CGHS Beneficiaries. Hence this statement has to be rejected.

4. A serving or retired employee is well within his ~~bounce~~ to recover the money spent for medical treatment provided he has paid the money required to be paid to CGHS to receive the facilities. It is like an insurance and some amount is to be paid to CGHS which is a subsidized amount and then government undertakes the responsibility of treating a serving or a retired employee. It is binding for the CGHS Beneficiaries. It is clearly pointed out in para-9 of the judgement that the applicant is not a CGHS Beneficiary. Hence ~~saying~~ on the <sup>reliance</sup> <sub>is not appropriate</sub> two reported judgements. Further those judgements were not produced at the time of hearing the OA. The facts that are not brought to the notice of the Bench at the time of hearing the OA cannot be quoted for reviewing the order passed in the OA. The learned counsel for the applicant submits that the OA was disposed of in his absence. I feel that the counsel for the applicant alone is responsible for his absence.