

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

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Date of Decision: 10/01/2001

OA 33/99

1. Kastoor Chand, LDC
2. J.P.Rathore, Section Officer,
3. Diler Singh, Section Officer,
4. Suresh Godbole, Section Officer,
5. M. M. Pandey, Section Officer,
6. Smt.Gayathri H.L., Jr.Accounts Officer,
7. L.R.Choudhary, Assistant,
8. M.L.Samariya, Assistant,
9. Vinod Kumar, Steno-C,
10. Jose K.K., Steno-C,
11. Smt.Shyama Dave,
12. M.B.Chouhan, UDC,
13. C.M.Meena, UDC,
14. Mahendra Mahavar, UDC,
15. Abdul Hamid Qureshi, Steno-D,
16. R.S.yadav, UDC,
17. A.K.Vijay, LDC,
18. R.S.Rathore, LDC,
19. Shashi Kant Sharma, LDC,
20. B.K.Meena, LDC,
21. Dinesh Kumar Sharma, LDC,
22. Sri Narain, LDC,
23. Mangal Singh Nathawat, LDC,
24. Darbara Singh, Sr.Lib.Attendent,
25. Dhan Raj, Staff Car Driver,
26. Badri Narain, Zamadar,
27. Rajendra Prasad Meena, Daftry,
28. Surendra Singh, Peon,
29. Kana Ram, Peon,
30. Inder Singh, Peon,
31. Phool Chand, Peon,
32. Rameshwar Prasad, Peon,
33. Jagdish prasad, Safaiwala,
34. Guman Singh, Chowkidar,
35. Hari Charan, Safaiwala,
36. Ram Kumar Singh, Chowkidar,
37. Nand Lal Gupta, Peon,
38. Jagdish prasad, Peon,

Liopall

- 39. Babu Lal Gurjar, Peon,
- 40. Girwar Singh, Peon,
- 41. Ghan Shyam Singh, Peon,
- 42. Gopal Chand Meena, Peon,

All the applicants are working in the Central Administrative Tribunal, Jaipur Bench, Jaipur.

... Applicants

Versus

- 1. Union of India through Secretary, Ministry of Health & Family Welfare, New Delhi.
- 2. Secretary, Ministry of Finance, Department of Expenditure, North Block, New Delhi.
- 3. Registrar, Central Administrative Tribunal, Principal Bench, Faridkot House, Copernicus Marg, New Delhi.
- 4. Deputy Registrar, Central Administrative Tribunal, Jaipur Bench, Shivaji Marg, Diggi House, Jaipur.

... Respondents

CORAM:

HON'BLE MR.S.K.AGARWAL, JUDICIAL MEMBER

HON'BLE MR.GOPAL SINGH, ADMINISTRATIVE MEMBER

For the Applicants ... Mr.P.P.Mathur, proxy counsel
for Mr.R.N.Mathur

For the Respondents ... Mr.V.S.Gurjar

O R D E R

PER HON'BLE MR.GOPAL SINGH, ADMINISTRATIVE MEMBER

In this application u/s 19 of the Administrative Tribunals Act, 1985, applicants, all employees of the Central Administrative Tribunal, Jaipur Bench, Jaipur, have prayed for quashing the orders dated 23.5.94 (Ann.A/1) and 1.6.94 (Ann.A/2) and for a direction to the respondents to refund to the applicants the amount deducted so far under the impugned orders, alongwith interest @ 12% per annum.

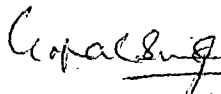
2. Under Government of India orders dated 23.5.94 and 1.6.94, first Rs.25/- from each medical reimbursement claim would not be reimbursed to the beneficiaries covered under C.S. (M.A.) Rules, 1994 w.e.f. 1.4.94.


Gopal Singh

3. In OAs 468/94 and 212/95 this controversy had come up before us in Jodhpur Bench of the Tribunal where one of us (Hon'ble Mr. Gopal Singh) was also a Member. The said applications were decided by order dated 27.9.2000 and orders dated 23.5.94 and 1.6.94, at Anns.A/1 and A/2, were quashed.

4. For detailed reasons recorded in our order dated 27.9.2000, passed in OAs 468/94 and 212/95, this OA is also allowed and the impugned orders dated 23.5.94 (Ann.A/1) and 1.6.94 (Ann.A/2) are hereby quashed. The respondents are directed to regulate the reimbursement of the medical bills of their employees as if these orders were never passed. If any amount was proposed to be recovered, the same shall not be recovered. The amount so deducted, if any, in compliance of the said orders from the medical bills of the employees, should be refunded but in the circumstances without any interest.

5. parties are left to bear their own costs.


(GOPAL SINGH)
MEMBER (A)


(S.K. AGARWAL)
MEMBER (J)