

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR**

Original Application No. 291/00173/2015

Date of order: 26/05/2016

Coram:

**Hon'ble Dr. K.B. Suresh, Judicial Member
Hon'ble Ms. Meenakshi Hooja, Administrative Member**

Laxman Swaroop Sharma Son of Shri Lokman Prasad Sharma, aged about 63 years, resident of 7 K 12, Mahaveer Nagar-III, Kota retired on 30/09/2011 from the post of Postal Assistant (SBCO), Kota Head Post Office, Kota Postal Division, Kota.

.....Applicant

(Mr. C.B. Sharma, counsel for the applicant)

VERSUS

1. Union of India, through its Secretary, Department of Posts, Ministry of Communication and Information Technology, Dak Bhawan, New Delhi-110001.
2. Chief Post Master General, Rajasthan Circle, Sardar Patel Marg, Jaipur-302001.
3. Senior Superintendent of Post Offices, Kota Postal Division, Kota-324001.

.....Respondents

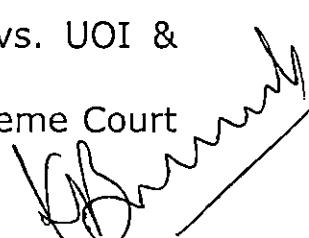
(Mr. N.C. Goyal, counsel for the respondents)

ORDER

(By : Hon'ble Dr. K.B. Suresh, Member Judicial)

Heard.

2. Applicant referred to the judgment of this Bench of the Tribunal dated 27/08/2013 passed in Original Application No. 786/2012 (Ram Swarup Gupta vs. UOI & Ors.). He also relied on the order of Hon'ble Supreme Court



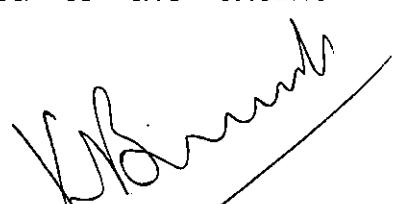
in the Special Leave to Appeal (Civil) No. 10659/2005 vide which the Hon'ble Supreme Court dismissed the same and the matter has become final.

3. Learned counsel for the respondents raises an issue that courts have consistently ruled that in such cases wherein, the employees have approached non-approved hospitals, the rates shall be fixed in accordance with the CGHS rates. This is correct.

4. Apparently, the applicant had got a heart surgery done for which he required immediate treatment. Therefore, the respondents shall pay the medical reimbursement relating to the heart surgery it to the applicant restricting to the CGHS rates.

5. The Original Application is allowed to the extent indicated above. No costs.


(Ms. Meenakshi Hooja)
Administrative Member


(Dr. K.B. Suresh)
Judicial Member

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