

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,
CIRCUIT COURT SITTING AT GWALIOR

Original Application No 790 of 2005

Gwalior, this the 27th day of October, 2005.

Hon'ble Mr. M.P. Singh, Vice Chairman
Hon'ble Mr. Madan Mohan, Judicial Member

Babu Singh, S/o Shri Roopram Singh,
Aged-61 years, Occupation-Retired
Supervisor (02/2039), Office of the
Accountant General (A&E)-II, M.P. Gwalior,
Resident of -B-28, Dwarikapur, Behind Prem Nagar,
PhoolBagh, Kila Road, Gwalior.

Applicant

(By Advocate – Shri S.C. Sharma)

V E R S U S

1. Union of India,
Through : The Comptroller and Auditor General
Of India, 10 Bahadur Shah Jafar Marg,
New Delhi-110002.
2. The Accountant General (A&E)-I,
Madhya Pradesh and Chhattisgarh,
Lekha Bhawan, Jhansi Road,
Gwalior
3. The Accountant General (A&E)-II,
Madhya Pradesh and Chhattisgarh,
Lekha Bhawan, Jhansi Road,
Gwalior

Respondents

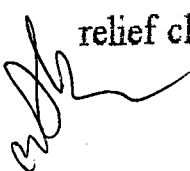
(By Advocate – Shri M.Rao)

O R D E R (Oral)

By M.P. Singh, Vice Chairman –

Heard the learned counsel for the parties.

2. The learned counsel for the respondents submitted that the relief claimed by the applicant has already been granted to him by the



respondents by making a payment of Rs.91,433. According to the learned counsel for the respondents the applicant is only entitled for the aforesaid amount as per CGHS Rules.


3. On the other hand the learned counsel for the applicant has submitted that the respondents have not reimbursed the full amount of Rs.98,428/- as claimed by the applicant. According to him the amount of Rs.98,428/- has been verified and certified by the hospital authority and whole amount of Rs.98,428/- is admissible to the applicant. According to him an amount of Rs.6000/- has been deducted for implantation of pace maker. He has drawn our attention towards the papers submitted by the learned counsel for the respondents in which an amount of Rs.8000/- is admissible for permanent pacemaker implantation at Ahemdabad, Jabalpur, Nagpur and Ranchi whereas Rs.16,160/- is admissible for implantation of permanent pacemaker in Delhi. According to him the respondents have not granted the rates applicable in Delhi and granted him the rates which are applicable at Jabalpur, Nagpur, Ahemdabad and Ranchi. Apart from it the claim of amount of Rs.6995/- has been rejected by the respondents on the ground that this amount has not been verified. The learned counsel for the applicant further submitted that this amount has also been verified by the Bhopal Memorial Hospital & Research Centre.


4. The learned counsel for the respondents has submitted a copy of the C.G.H.S. rates in which the amount admissible for implantation of permanent pacemaker and also the cost ^{are} ~~is~~ prescribed. He has submitted that the amount has been allowed as per CGHS rules and not as per the certificate issued by the Bhopal Memorial Hospital & Research Centre.

5. We have given careful consideration to the rival contentions of the parties and we find that the respondents have reimbursed an amount of Rs.8000/- as cost of implantation of permanent pacemaker at the rate which is applicable at Jabalpur, Nagpur, Ranchi and Ahemdabad. As regards the plea taken by the learned counsel for the applicant that the applicant ought to have been reimbursed the cost of

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implantation of permanent pacemaker which is applicable at Delhi and not at Jabalpur, Nagpur, Ranchi and Ahemdabad, we find that the permanent pacemaker has been implanted at Bhopal which is in Madhya Pradesh and ~~not in Delhi~~ ^{wh} therefore, the respondents have rightly allowed the rate admissible in Jabalpur which is also in Madhya Pradesh. As regards the amount of Rs.6995/-, the applicant is not entitled for the said amount as no provision of CGHS rules has been shown to us under which the amount of Rs. 6995/- is admissible to the applicant. We are of the considered opinion that ~~the~~ ^{whole &} the amount admissible to the applicant as per the provisions of the CGHS Rules has already been reimbursed to the applicant. Hence, this OA is liable to be dismissed. Accordingly, the same is dismissed. No costs.


(Madan Mohan)
Judicial Member


(M.P. Singh)
Vice Chairman

skm

पृष्ठांकन सं ओ/न्या.....जबलपुर, दि.....

परिलिपि आये बिना:-

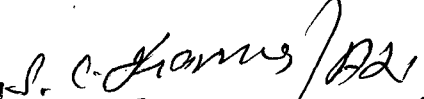
(1) राशि, उक्त राशि का वृद्धिपत्र, जबलपुर

(2) आवेदन सी/डी नं. के काउंसल

(3) फायदा न/सी नं. के काउंसल

(4) वृद्धिपत्र, न/सी नं. के काउंसल

सूचना एवं आवेदन का नं.
उप रजिस्ट्रार


S. C. Sharma
M. Rao
Guan

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