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CENTRAL ADMINISTRATIVE TRIBUNAL  
JABALPUR BENCH  
JABALPUR

Original Application No.299/2003

Jabalpur, this the 5th day of December, 2003

Hon'ble Shri. G. Shanthappa, Judicial Member

B. L. Gajbhaye  
s/o Shri Lalmanji Gajbhaye  
Senior Auditor in the Office of  
P & T Audit Office, Bhopal M.P.  
r/o 28/3, Dr. Ambedkar Colony  
Old Subhash Nagar  
Bhopal (MP). ... Applicant

(By Advocate: None)

Versus

1. Union of India through  
Comptroller and Auditor  
General of India  
New Delhi.
2. Director General of India (P&T)  
Delhi - 110 054.
3. Deputy Director of Audit  
Post and Telegraph, Audit Office  
Bhopal (MP). ... Respondents

(By Advocate: Shri S.P.Singh)

O R D E R (Oral)

This case pertains to medical reimbursement claim.

2. None appeared ~~for~~ <sup>for</sup> the applicant, even on second call. Heard the learned counsel for the respondents. I have decided to dispose of this OA under Rule 15 of the Central Administrative Tribunal (Procedure) Rules, 1987.

3. The applicant has filed this OA for a direction to reimburse the medical claim.

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*G.S.*

4. The case of the applicant is that he has taken medical treatment of himself and his family. The claim pertains to the period from 1995-2002. On 9.8.2002, Respondent No.3 had issued a letter to the applicant, whereby he has been informed that the medical claim for the year 1995 to 2002 has been rejected on account of his non-submission of wrappers and empty bottles. Hence the impugned order.

5. At the outset, the applicant has stated in his OA that he has taken treatment for himself and for his family and accordingly he has produced the relevant prescriptions and medical bills to the concerned authorities for reimbursement of medical claim. According to him it is not possible for to keep the wrappers and empty bottles etc. Since the respondents have rejected the medical claim, he has filed this OA seeking the above relief.

6. Per contra, the respondents have submitted in their reply by contending that since the applicant did not produce the necessary wrappers and empty bottles in pursuance of letters dated 11.8.1992 and 20.3.1991, which are attached to the reply as Annexure R-1 and R-2 respectively, which is mandatory for reimbursement of the medical claim. Hence, the OA may be dismissed as the relevant wrappers and empty bottles have not been produced by the applicant.

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7. I have considered the arguments of the learned counsel for the respondents and also perused the pleadings on record.

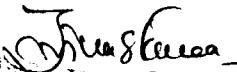
8. It is an admitted fact that the applicant has taken treatment for himself and his family for which he has claimed for medical reimbursement and has submitted his bills, etc to the respondents. In my considered view the rejection of medical claim on the ground of non-submission of wrappers and empty bottles is not appropriate.

9. In view of the above, in the interest of justice, I dispose of the present OA by directing the respondents to verify the medical claim papers submitted by the applicant and reimburse the same without insisting for wrappers and empty bottles, in accordance with rules on the subject, within a period of two months from the date of receipt of a copy of this order. The OA is accordingly disposed of. No costs.

  
(G. SHANTHAPPA)  
Judicial Member

/rao/

Shri Deepak Panjwani Adv. JBp.  
Shri S.P. Singh Adv. JBp.

  
16/12/8