

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

JAIPUR BENCH, JAIPUR

Jaipur, the December, 21st 2006

ORIGINAL APPLICATION NO. 285/2005

WITH MA No. 350/2006

~~CORAM:~~

HON'BLE MR. M.L. CHAUHAN, MEMBER (JUDICIAL)

HON'BLE MR. J.P. SHUKLA, MEMBER (ADMINISTRATIVE)

Dr. Manish Srivastava son of Shri L.K. Srivastava & Late Smt. S.K. Srivastava, Ex. TGT of Kendriya Vidyalaya No. 4, Jaipur. Resident of 42/56/12 Mansarovar, Jaipur.

By Advocate: Mr. C.B. Sharma

....Applicant

Versus

- 1 Union of India through Commissioner, Kendriya Vidyalaya Sangathan (HQrs.), 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi.
- 2 Assistant Commissioner, Kendriya Vidyalaya Sangathan, Regional Office, 92, Gandhi Nagar Marg, Jaipur.
- 3 Principal Kendriya Vidyalaya No. 4, Jaipur Cantt., Cant. Area, Khatipura Road, Jaipur.

By Advocate: Mr. V.S. Gurjar

....Respondents.

ORDER (ORAL)

Applicant has filed this OA thereby praying for the following reliefs:-

- (i) That the entire record relating to the case be called for and after pursuing the same the respondents should be directed to reimburse the medical claims of Rs.81,062/- 49,454/- with the interest @ 18% by treating SDMH as recognized hospital under CS(MA) rules to the applicant.
- (ii) Any other order, direction or relief may be passed in favour of the applicant as deemed fit, just and proper in favour of the applicant.
- (iii) That the cost of the application may be rewarded.

2. Notice of this application was given to the respondents. The respondents have filed their reply. In the reply, the stand taken by the respondents is that the matter is under consideration. During the pendency of this OA, the respondents have filed MA No. 350/2006 pursuant to the order dated 29.06.2006. In the MA, the respondents have stated that a sum of Rs.1,09,244/- has been approved towards medical expenditure incurred by Late Smt. S.K. Srivastava subject to adjustment of medical advance paid, if any. The respondents have placed a copy of such communication dated 17.10.2006 alongwith this MA as Annexure MAR/1.

3. In view of this subsequent development, we are of the view that the grievance of the applicant has been substantially redressed. Learned counsel for the applicant submits that the respondents have not given the detail of

the deficient amount which is more than Rs.20000/-, which was not admissible to the applicant on account of total medical expenditure i.e. Rs.1,30,516/- incurred by him.

4 We have given due consideration to the submission made by the learned counsel for the applicant. We are of the view that that this OA can be disposed of with the direction to the respondents to give details of the amount which the applicant was not entitled for reimbursement within a period of two months from the date of receipt of a copy of this order. In that eventuality, it will be open for the applicant to re-agitate the matter with the respondents by making a fresh representation and subsequently by approaching this Tribunal, if he is still aggrieved.

5. With these observations, the OA as well as MA are disposed of with no order as to costs.

Shukla
(J.P. SHUKLA)
MEMBER (A)

Chauhan
(M.L. CHAUHAN)
MEMBER (J)

AHQ