

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDER SHEET

ORDERS OF THE TRIBUNAL


1.9.2009

OA 232/2008

Mr.C.B.Sharma, counsel for applicant.

Mr.Gaurav Jain, counsel for respondents.

Heard learned counsel for the parties. The
OA stands disposed of by a separate order.


(B.L.KHATRI)
MEMBER (A)

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH, JAIPUR.

Jaipur, the 1st day of September, 2009

ORIGINAL APPLICATION No.232/2008

CORAM :

HON'BLE MR.B.L.KHATRI, ADMINISITRATIVE MEMBER

Smt. Sabana
W/o Late Shri Abdul Rashid,
R/o Behind Chaman Hotel,
Nayapura,
Kota.

... Applicant

(By Advocate : Shri C.B.Sharma)

Versus

1. Union of India through
Secretary to the Govt.,
Department of Posts,
Ministry of Communication &
Information Technology,
Dak Bhawan, Sansad Marg,
New Delhi.
2. Chief Post Master General,
Rajasthan Circle,
Jaipur.
3. Post Master General,
Rajasthan Southern Region,
Ajmer.
4. Sr.Supdt. of Post Offices,
Kota Postal Division,
Kota.

... Respondents

(By Advocate : Shri Gaurav Jain)

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ORDER (ORAL)

The applicant has filed this OA for the reason that her husband could not pursue the matter for short payment of Rs.1,20,000/- towards his indoor medical treatment. However, he had made a request in this connection vide application dated 21.2.2007 (Ann.A/11).

2. Notice of this OA was given to the respondents, who have filed their reply opposing the claim of the applicant. In para-10 of the reply, the respondents have submitted that ;

"10. That the applicant submitted petition to Chief PMG Jaipur against deduction of amount of Rs.1,20,000/- for package deal and same was forwarded to respondent No.3 vide letter No.E8/MR/AR dated 5.4.2006 because the sanction was issued by respondent No.3 vide his memo No.CPT/SR/AC/23-8/2003/14 dated 24.9.2004. The appeal was forwarded to Chief Post Master General, Jaipur, vide Regional Office letter No.BGT/SR/23-8/03 dated 23.5.2006. The CPMG returned the case vide letter No.AC4-178-B/2003-04 dated 16.5.2007 for reconsideration alongwith copy of D.G. Post New Delhi letter No.21-11/2007/Medical dated 1.5.2007 and M/O Health & FW OM No.5/14025/7/2000-MS dated 28.3.2000. The PMG has rejected the case for reimbursement i.e. for payment of rest amount Rs.1,20,000/- only and same was informed to SSPOs Kota."

After perusal of the above, it is evident that out of the total medical claim, the amount of Rs.1,20,000/- was not paid to the applicant and case of the applicant was considered as per the directions/instructions of D.G.Post New Delhi letter No.21-11/2007/Medical dated 1.5.2007 and M/O Health & Family Welfare OM No.5/14025/7/2000-MS dated 28.3.2000. The respondents were directed to produce copy of the instructions/orders of DG Post, New Delhi, dated 1.5.2007 and OM of the Ministry of Health and Family Welfare dated 28.3.2000, as referred in para-10 of their reply, and also to produce a copy of order of the PMG rejecting the claim of the applicant for payment of balance amount of Rs.1,20,000/-.


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3. During the course of hearing, learned counsel for the respondents had produced copies of all the relevant letters/orders, which have been taken on record. It is evident from the letter dated 21.6.2007, addressed by Postmaster General to the Chief Postmaster General with a copy to the SSPOs Kota Division, Kota, that medical reimbursement claim of late Shri Abdul Rashid, PA, Kota HO, was examined and it was directed by the competent authority after careful consideration of the case in the light of the DG (Post) New Delhi letter No.21-11/2007/Medical dated 1.5.2007 under the M/O Health & FW OM No.S 14025/7/2000-MS dated 28.3.2000, and had rejected the full reimbursement of the claim.

4. Learned counsel for the applicant also submitted that representation of the applicant dated 21.2.2007 (Ann.A/11) has not been decided by the respondents and the Postmaster General has not passed any speaking order so far.

5. In the light of the above facts, respondent No.3 i.e. the Postmaster General, Rajasthan Southern Region, Ajmer, is directed to pass a reasoned and speaking order on the representation of the applicant dated 21.2.2007 (Ann.A/11) within two months from the date of receipt of a copy of this order.

6. With these observations, the OA stands disposed of. No order as to costs.


(B.L. KHATRI)
MEMBER (A)

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