

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

Date of Order: 10.01.2013

OA No. 181/2011

Mr. V.B. Srivastava, counsel for applicant.
Mr. D.C. Sharma, counsel for respondents.

Learned counsel for the parties submits that this case pertains to Single Member Bench. Put up the matter on 21.02.2013 for hearing before the Single Member Bench.

Anil Kumar
(ANIL KUMAR)
MEMBER (A)

K.S. Rathore
(JUSTICE K.S. RATHORE)
MEMBER (J)

Kumawat

21/02/2013

OA No. 181/2011

Mr. V. B. Shrivastava, Counsel for applicant.
Mr. D. C. Sharma, Counsel for respondents.

Heard

O. A. is disposed of by a separate order on the separate sheets for the reasons recorded therein.

K.S. Rathore
[Justice K.S. Rathore]
Member (J)

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CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORIGINAL APPLICATION NO. 181/2011

DATE OF ORDER: 21.02.2013

CORAM

HON'BLE MR. JUSTICE K.S. RATHORE, JUDICIAL MEMBER

Kripa Shanker Srivastava S/o late Shri Madan Lal Srivastava, aged about 82 years, R/o 76, Shanti Niketan Colony, Kishan Marg, Barkat Nagar, Jaipur. Retired Officer Surveyor, Survey of India, Western Circle, Jaipur.

...Applicant

Mr. V.B. Srivastava, counsel for applicant.

VERSUS

1. Union of India through its Secretary, Ministry of Health, Nirman Bhavan, New Delhi.
2. The Director General of Health Services, (D.G.H.S.), Desk-I, Nirman Bhavan, New Delhi.
3. The Additional Director, Central Government Health Scheme, Kendriya Sadan Parisar 'B' Block, Ground Floor Sector-10, Vidhyadhar Nagar, Jaipur - 302023.

...Respondents

Mr. D.C. Sharma, counsel for respondents.

ORDER (ORAL)

Short controversy involved in this Original Application is that the reimbursement of medical claim has only been accepted by the respondents to the extent of permissible limit.

2. Learned counsel appearing for the applicant referred to Annexure R/2, OM No. S-11012/1/93-CGHS(P), dated 11.03.1993 and submitted that there is a provision that in certain circumstances, reimbursement in full, in excess of approved rates, may be allowed vide MH & FW, CGHS (P)

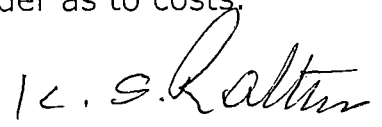


Division, OM No. 4-18/2005-C&P [Vol.IPt. (I), dated 20.02.2009. Learned counsel for the applicant prayed that the applicant may be allowed to represent before the respondents to get the benefit in the certain peculiar circumstances for reimbursement in full, in excess of approved rates, pursuant to the OM dated 20.02.2009.

3. Accordingly, the applicant is at liberty to represent before the respondents, and the respondents are directed to consider and decide the representation of the applicant pursuant to the OM dated 11.03.1993 and OM dated 20.02.2009 (supra), considering certain peculiar circumstances if shown by the applicant in his representation and shall pass a reasoned and speaking order. The respondents are further directed to do the needful in the matter expeditiously but in any case not later than a period of three months from the date of receipt of a copy of the representation from the applicant.

4. If any prejudicial order against the interest of the applicant is passed by the respondents, the applicant will be at liberty to challenge the same by way of filing the substantive Original Application as per rules.

5. With these observations and directions, the Original Application stands disposed of with no order as to costs.


(JUSTICE K.S. RATHORE)
JUDICIAL MEMBER