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CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH

...

OA No. 060/00792/2014 Date of decision- 21.01.2015

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CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)
HON'BLE MRS. RAJWANT SANDHU, MEMBER (A)

...

Ajit Singh son of late Sh. Maghar Singh, r/o House No.238, Street No.24, Preet Nagar, New Shimlapuri, Ludhiana.

...APPLICANT

BY ADVOCATE : Sh. M.K. Bhatnagar.

VERSUS

1. Union of India through the Secretary to the Government of India, Ministry of Communication and IT Department of Post, New Delhi.
2. Post Master General, Area-II, Chandigarh.
3. Senior Supdt. of Post Offices, Ludhiana City Division, Ludhiana.

...RESPONDENTS

BY ADVOCATE: Sh. Suresh Verma.

ORDER (ORAL)

...

HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J):-

With the consent of both the parties, the matter is taken up for hearing at the admission stage.

2. By means of the present Original Application, the applicant has sought following relief:-

"(i) The present application is being filed against the action of the respondents and against the order dated 27.05.2014 (Annexure A-1) whereby the claim of the applicant for medical reimbursement for emergent treatment of the Heart problem his wife fully dependent namely Bhupinder Kaur has been declined being illegal arbitrary and against the medical reimbursement rules and respondents be directed to reimburse Rs.1,64,004/- to him being the expenses incurred by applicant on emergent treatment of his son with 12% interest for delayed payment."

3. It is submitted by the learned counsel for the applicant that the case is squarely covered by a decision rendered by this Tribunal in O.A.No.1145/PB/2013 (Avtar Singh Grover Vs. UOI & Ors.) decided on 22.01.2014, and as such this O.A may be decided in the same terms.

4. Learned counsel for the respondents does not object to the plea taken by the learned counsel for the applicant.

5. Considering the consensual agreement reached between parties and without going into the merits of the case, the instant Original Application is disposed of in the same terms as in the case of Avtar Singh Grover *(supra),* the relevant part of which reads as under:-

"4. However, we find that recently a co-ordinate Bench of this Tribunal in O.A.No. 1046-PB-2013 (Banarsi Dass Gupta Vs. Union of India etc.) decided on 23.10.2013 has thrashed the issue, holding as under :-

"8. From the material on record, it is seen that the courts/tribunals have time and again held that the retired Government officials not residing in CGHS areas are entitled to avail medical care in emergency from privately managed health institutions and get the same reimbursed to the extent of rates prescribed under the CGHS Scheme. This is also the position taken in OA No. 401/PB/13 titled Surjit Kaur

Vs. UOI and Ors. decided on 7.8.2013. It is also clear that in view of OM dated 20.1.2011 issued by Government of India, Ministry of Health and Family Welfare, medical claim of the applicant should be allowed as per the rates prescribed by the CGHS. Accordingly, the impugned order is quashed and set aside. The respondents are directed to reimburse the medical claim of the applicant as per the rates prescribed by the CGHS. Exercise in this regard, may be carried out within a period of two months from the date of certified copy of this order being served upon the respondents No. 2 &3."

5. We find that the issue raised in this case is on identical lines as involved in the case of Banarsi Dass Gupta (supra). In that view of the matter, this O.A. shall also stand disposed of in the same terms. No costs."

6. No costs.

(RAJWANT SANDHU)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 21.01.2015.

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