

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

O.A.NO. 060/01143/2014 Date of order:- 25.3.2015.

Coram: **Hon'ble Mr. Sanjeev Kaushik, Member (J)**
Hon'ble Mr. Uday Kumar Varma, Member (A).

1. Gurmail Singh Bains son of Shri Ganda Singh, Assistant Engineer (Phones-Retired), resident of House No.660, Phase 9, SAS Nagar, Mohali (Punjab).
2. Gurdev Singh Virk son of Shri Kartar Singh, Assistant Engineer (Phones-Retired), resident of House No.324, Sector 45-A, Chandigarh.
3. Bhagat Ram Kashyap son of Shri Charan Dass, General Manager (Telecom Retired), resident of House No.576, Sector 9, Urban Estate, Ambala City-134 003.
4. Swaran Singh Saini son of Shri Hardial Singh, PA(Steno Retired), resident of House No.4577-A(MIG Super flats), Sector 70, SAS Nagar, MOhali-160071.

.....Applicants

(By Advocate: Mr. Manohar Lal)

Versus

1. Union of India, through Secretary, Ministry of Health and Family Welfare, Nirman Bhawan, New Delhi.
2. Director, Central Government Health Scheme, Room NO. 545, 5th Floor, A-Wing, Nirman Bhawan, New Delhi.
3. Additional Director, Central Government Health Scheme, 4th Floor, Kendriya Sadan, Sector 9, Chandigarh.

...Respondents

(By Advocate: None).

O R D E R(Oral).

Hon'ble Mr. Sanjeev Kaushik, Member (J):

Fours applicants have jointly filed the present Original Application seeking the following relief:-

"i) Impugned letters dated 24.10.2014 and 10.12.2014 together with other such instructions (Annexure A-1 to A-4) which prohibit the enrolment of P&T Pensioners as beneficiaries of CGHS be quashed and set aside;

ii) Respondents be directed to forthwith extend the facilities of CGHS to applicants on payment of usual subscription by issuing CGHS cards to avail CGHS facilities at Chandigarh at par with other Central Government pensioners".

2. The respondents have filed the written statement wherein they have stated that the P&T Pensioners are not eligible to avail CGHS facilities after retirement if they were not availing CGHS facilities at the time of their retirement. As regards, CGHS facilities to pensioners (except P&T/Railway) residing in non-CGHS cities, they have an option to become CGHS members by registering themselves with nearest CGHS city.

3. No one has put in appearance on behalf of the respondents despite one pass-over. While proceeding under Rule

16 of the C.A.T. (Procedure) Rules, 1987, we have heard the learned counsel for the applicants.

4. On the basis of the reply furnished by the respondents and various orders passed by the Tribunal, the learned counsel for the applicants fairly states that the controversy raised in the instant OA is no longer res-integra and stands clinched vide order dated 16.12.2013 passed in O.A.No.1637/HR/2013 (**Sukhbir Singh versus Union of India & Ors.**) (Annexure A-16). The operative part of the order dated 16.12.2013 is reproduced hereunder:-

"4. Considering that the issue raised in the instant O.A has already been put to rest as per the order passed in the case of Ranjit Singh (supra), despite that the respondents are not allowing the benefit granted by this Tribunal to the similarly situated persons/retired employees and time and again, they have been compelled to approach the Court of law for the redressal of their grievance. Accordingly, we direct the respondents that once the issue has already attained finality, that order be applied uniformly without compelling the persons to approach the Court of law.

5. In the light of the above factual scenario, the present O.A. shall stand allowed in terms of the view obtained in O.A.No.1460/PB/2012 (Ranjit Singh vs. Union of India & Ors.) decided on August March 1, 2013 in limine."

5. Considering that the issue raised in the instant O.A has already been put to rest as per the order passed in the case of Sukhbir Singh (supra), the present O.A. shall stand allowed in



terms of the view obtained in O.A.No.1637/HR/2013 (Sukhbir
Singh vs. Union of India & Ors.) decided on 16.12.2013.

(UDAY KUMAR VARMA)
MEMBER(A).

(SANJEEV KAUSHIK)
MEMBER (J)

Dated:- March 25, 2015.

Kks