

**Central Administrative Tribunal
Principal Bench**

CP No.279/2016 in OA No.1877/2014

New Delhi, this the 28th day of November, 2016

**Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. Shekhar Agarwal, Member (A)**

Smt. Anita (Aged 56 years)
Assistant Nursing Superintendent
Dr. Baba Saheb Ambedkar Hospital
(Govt. of NCT of Delhi)
Sector-6, Rohini, Delhi.Applicant

(By Advocate: None)

Versus

Shri Pritam Mahajan
Medical Superintendent
Dr. Baba Saheb Ambedkar Hospital
(Govt. of NCT of Delhi)
Sector-6, Rohini, Delhi.Respondents

(By Advocate: Shri Amit Anand)

ORDER (ORAL)

Justice Permod Kohli, Chairman :-

Vide judgment dated 13.04.2015 passed in OA N.1877/2014 following directions were issued:-

“6. The applicant who is a single mother and has responsibility of a child suffering from acute ailment would be subjected to undue persecution if made to refund the amount of Rs.86,005/-i.e. an amount of unforeseen expenses incurred on treatment of her son for which the respondents had made advance payment.

7. In the facts and circumstances of the case, OA is disposed of with direction to respondents to not recover the aforementioned amount of Rs.86,005/- from the applicant.

No costs."

2. Shri Amit Anand, learned counsel appearing on behalf of the respondents has produced a copy of Office Order No.1013 dated 09.09.2016, whereby the Medical Director, Govt. of NCT of Delhi has passed an order withdrawing the order of recovery with a further stipulation that any recovery made on account of the same is to be refunded. However, the order does not mention about the actual refund. Shri Amit Anand submits that according to his instructions, part of the amount has been refunded and if any amount remains to be paid, the same shall be refunded within one month.

3. In this view of the matter present contempt proceeding are dropped. Notice issued to the alleged contemnor is discharged.

**(Shekhar Agarwal)
Member(A)**

**(Justice Permod Kohli)
Chairman**

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