

**Central Administrative Tribunal
Principal Bench**

OA No.1063/2015

New Delhi this the 15th day of December, 2017.

Hon'ble Mr. K.N. Shrivastava, Member (A)

D.N. Sharma, Aged about 85 years, Ex. Administrative Officer, Doordarshan – Gorakhpur (Retd.) (IRLA No. I &B/PAO/IRLA/88/1449) Permanent Address: A-15, Krishna Puram, Mathura (U.P) Present R/O C/o Sh. Raghupati Lal Sharma, WZ – 106/14, Rajori Garden Extension, New Delhi

..... Applicant

(By Advocate: Mr. V.K. Sharma)

VERSUS

1. Union of India Through Secretary to the Govt. of India Ministry of Information & Broadcasting, Shastri Bhawan, New Delhi
2. The Director General Doordarshan, Doordarshan Bhawan, Copernicus Marg, New Delhi
3. The Station Director, Doordarshan Kendra, GORAKHPUR (U.P)
4. The Pay & Accounts Officer (IRLA) Ministry of Information & Broadcasting, A.G.C.R. Building, New Delhi.
5. The Pay & Accounts Officer (Doordarshan) Akashwani Bhawan, Room No. 428-A, Parliament Street, New Delhi

..... Respondents

(By advocate: Mr. Vijendra Singh for R-1 with Ms. Radhalakshmi R. for Mr. Rajeev Sharma for R-2 to 5).

O R D E R (ORAL)

The applicant retired on 31.03.1988 from the post of Administrative Officer, Doordarshan Kendra, Gorakhpur, Respondent No.3. After his retirement, he has been residing at

Mathura. Mathura does not have CGHS facilities. In terms of DoP&T OM dated 19.12.1997, retired Government servants residing at places where there are no CGHS facilities, are allowed fixed medical allowance which now stands at Rs.500/- per month vide OM dated 26.05.2010 of DoP&T. The applicant was admitted in Amritdeep Chikitsa Kendra, Mathura for medical treatment on 27.11.2014 and was discharged on 08.12.2014. The Discharge Certificate issued by the Hospital is at page-55. The Hospital has raised a medical bill of Rs.15,540/- for the treatments availed by the applicant during his hospitalization. In addition to this medical hospitalization bill, the applicant has also presented several bills issued by different pharmacies from where he had procured medicines. He has thus presented a total medical claim of Rs.39,831/-. His claim has been turned down by the respondents vide impugned Annexure A-1 order dated 24.02.2015.

2. Through the medium of this O.A., the applicant has prayed for the following relief:-

“[a] That the Medical Treatment taken by the applicant in very Urgent circumstances from a Private Hospital near to his Residence returned undelivered by the concerned authorities, may be ordered to be considered by the concerned authorities, with a Rs.39,831=00 involved in such treatment, may be ordered to be reimbursed to the applicant within a time bound period in the light of similarly decided cases.”

3. Heard the arguments of learned counsel for the parties. It is not in dispute that the applicant has availed medical facility during his period of hospitalization from 27.11.2014 to 08.12.2014

at Amritdeep Chikitsa Kendra Mathura. It is also not in dispute that Mathura does not have CGHS Hospital nor has any CGHS empanelled hospital. Although the applicant has not submitted any Emergency Certificate to show that he had got admitted in the said hospital in emergency condition but considering the fact that Mathura does not have any CGHS facility nor there are any CGHS empanelled hospitals at Mathura, the Emergency Certificate, in such a situation is inconsequential.

3. Hence, I am of the view that the applicant has legitimate claim for reimbursement of medical expenses incurred by him for his hospitalization at Amritdeep Chikitsa Kendra Mathura amounting to Rs.15,540/-. The other medical bills which the applicant has claimed are basically the bills issued by various pharmacies from whom he has procured medicines for medical treatment. Such bills cannot be reimbursed in light of the provision of fixed medical allowance referred to in para-1 above.

4. In view of the above, this OA is disposed of with a direction to Respondent No.2 to reimburse the medical expenses of Rs.15,540/- incurred by the applicant towards his hospitalization at Amritdeep Chikitsa Kendra, Mathura as per the bill dated 08.12.2014 issued by the said hospital (page-54). The claim of the applicant for reimbursement of other bills towards procurement of medicines from different Pharmacies cannot be considered in view of DoPT

OMs dated 19.12.1997 and 19.11.2014 as per which, for such sundry medical expenses, a monthly lump-sum medical allowance is paid to the retired Government employees residing at places not having CGHS facilities.

5. No costs.

(K.N. Shrivastava)
Member (A)

cc.