

**Central Administrative Tribunal
Principal Bench**

OA-4553/2017

New Delhi, this the 04th day of July, 2018

Hon'ble Mr. S.N. Terdal, Member (J)

Sh. J.P. Meena (AGM Retd.), Group-A,
Age 65 years,
S/o late R.N. Meena,
R/o S/13F, Sunder Block,
Street No. 1, Shakarpur,
New Delhi-110092.

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Applicant

(through Sh. Noor Alam with Sh. Mobin Akhtar)

Versus

Bharat Sanchar Nigam Limited,
Corporate Office,
Bharat Sanchar Bhawan,
Harish Chand Mathur Lane,
Janpath, New Delhi-110001.

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Respondents

(through Sh. Kapil Dua)

ORDER (ORAL)

Heard learned counsel for the applicant and respondents. Perused the pleadings and all the documents.

2. The short question arising in this case is whether the applicant is entitled for the medical reimbursement with regard to the child born after his retirement. The admitted facts are that the first child died. The five other children are daughters and they were all married before the retirement of the applicant. As such at the time of retirement, the applicant had no dependent children. After retirement, the applicant has gone in for IVF process and the child was born. The counsel for the respondents vehemently submitted that since the applicant had six children and he availed medical facilities for all of them, he is not entitled for medical reimbursement with respect to the seventh child. To support

his case, he has relied on OM No. BSNL/Admn.I/15-10/07 dated 16.04.2010, Para 2 of which reads as follows:

"No. of dependents under BSNLMRS

The dependent as defined under clause 1.4(iii) of orders No. BSNL/ADMN/1 dated 28.2.03 is modified and replaced as under:

For serving and retired employees, dependent means and includes self, spouse, two dependent children and dependent parents. Criteria of dependency shall be as defined under CGHS and CS(MA) Rules and as amended by the Central Government from time to time."

3. From this Para, it is clear that the applicant is entitled to medical reimbursement with respect to two dependent children. As stated above, on the date of birth of the disputed child, he had only one dependent child. In view of the above OM, the submission of the learned counsel for the respondents is not acceptable. As a result, the OA is allowed. The applicant is entitled for medical reimbursement of Rs. 93,198/-. He has also prayed for inclusion of the name of the child so born in the medical card. Respondents are directed to pay the medical reimbursement of Rs. 93,198/- within three months from the date of receipt of this order and also directed to include the name of the disputed child in the medical card. OA is accordingly disposed of. No order as to costs.

(S.N. Terdal)
Member (J)

/ns/