

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

ORIGINAL APPLICATION NO. 170/00154/2017

DATED THIS THE 22ND DAY OF NOVEMBER, 2017

HON'BLE DR. K.B. SURESH, MEMBER (J)

HON'BLE SHRI PRASANNA KUMAR PRADHAN, MEMBER (A)

Smt S. Onkaramma
W/o Manjunath
Aged about 64 years,
No. 263, "Krishna Kuteera"
7th Cross, Thalakaveri Layout,
Amruthahalli, Bengaluru – 560 092,
(Retired Accounts Officer)

.....Applicant

(By Advocate Shri C.K. Nagendra Prasad)

Vs.

1. The Regional Provident Fund Commissioner-I
Employees Provident Fund Organisation,
"Bhavishyanidhi Bhavan"
No. 13, R.M. Roy Road,
Bangalore – 560 025.

2. The Additional Central Provident Fund Commissioner
(Karnataka & Goa),
Bhavishyanidhi Enclave,
H.M.T. Main Road, Jalahalli,
Bangalore – 560 013.

3. The Central Provident Fund Commissioner
Employees Provident Fund Organisation,
Head Office, "Bhavishyanidhi Bhavan"
14, Bhikaji Cama Place,
New Delhi – 110 066.

....Respondents

(By Shri G. Mallikarjunappa, Counsel for the Respondents)

ORDER (ORAL)

DR. K.B. SURESH, MEMBER (J):

Heard. The matter is in a very small compass. Apparently the respondents had recognized a particular hospital but failed to fix the charges. Since the charges had not been fixed, the hospital had taken as per their discretion. Now the respondents says that they will not honor their earlier commitment. They would say that even though they have accepted CS(MA) conditions the charges which ought to have been fixed by them earlier and therefore they have granted the reimbursement at the rate of CGHS only. That is applicable to the recognized hospital only on them fixing the charges. If the respondents have done otherwise, it is to their prejudice and not to the prejudice of the applicant.

2. The OA is allowed. The entire amount will be paid within one month. No order as to costs. If it is not paid within that time, it will be paid in accordance with the rulings of the Hon'ble High Court of Karnataka at 15% interest.

(PRASANNA KUMAR PRADHAN)
MEMBER (A)

(DR. K.B. SURESH)
MEMBER (J)

/ksk/

Annexures referred to by the applicants in OA No.170/00154/2017

Annexure A-1: True copy of EPFO letter No. BN/PF/Adm I/ 2006-07/944/628 dated 06.11.2006

Annexure A-2: True copy of Form of application for medical claims of the applicant for treatment from Motherhood Hospital

Annexure A-3: True copy of Discharge Summary of the applicant from the Motherhood hospital

Annexure A-4: True copy of EPFO letter No. BN/PF/HRM-II/2016-17/183 dated 12.09.2016

Annexure A-5: True copy of representation of the applicant dated 26.09.2016 claiming reimbursement of medical bills

Annexure A-6: True copy of medical claim dated 26.09.2016

Annexure A-7: True copy of representation of the applicant dated 23.12.2016 claiming reimbursement of medical bills

Annexure A-8: True copy of judgment in OA No. 334/2014 passed by Central Administrative Tribunal, Bangalore Bench dated 21.04.2015

Annexure A-9: True copy of judgment in WP No. 33026/2015 (S-CAT) of the Hon'ble High Court dated 30.11.2015

Annexure A-10: True copy of SLP No. 9294/2016 dated 29.06.2016

Annexures with reply statement:

Nil
