

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.060/01326/2018

Chandigarh, this the 31st day of October, 2018

...
**CORAM:HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &
HON'BLE MS. AJANTA DAYALAN, MEMBER (A)**

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Ram Parkash Sharma son of Shri Kundan Lal Sharma, aged 79 years, Chief Telecom Supervisor, Group 'C' (Retired), resident of # FM 176, Model House, Jalandhar – 144003 (Punjab)

....Applicant

(Present: Mr. Manohar Lal, Advocate)

Versus

1. Union of India, through the Secretary, Ministry of Communications and Information Technology, (Department of Telecom), Sanchar Bhawan, Ashoka Road, New Delhi - 110001.
2. Controller of Communication Accounts, Punjab Telecom Circle, Madhya Marg, Sector 27-A, Chandigarh – 160019.

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Respondents

(Present: Mr. Ram Lal Gupta, Advocate)

**ORDER (Oral)
SANJEEV KAUSHIK, MEMBER (J)**

1. Heard.
2. Learned counsel for the applicant submitted that similar O.As, including O.A. NO. 060/00753/2018 titled **A.S. Bedi Vs. Union of India and Others** decided on 17.10.2018, challenging the action of the respondents, in denying the benefit of medical reimbursement to the pensioners, in terms of CS (MA) Rules, 1944 have been allowed by this Court, while quashing the similar impugned order passed by the respondents on similar ground that the retirees are not governed by CS (MA) Rules, 1944. He, therefore, prayed that this O.A. may be allowed in the same terms.
3. Issue notice to the respondents.

4. Mr. Ram Lal Gupta, Advocate, appears and accepts notice. He agreed that the issue involved herein has been settled by this Court in a number of OAs, while negating the stand of the respondents that the retiree are not governed by and are not entitled to medical reimbursement under CS (MA) Rules, 1944. He, therefore, submitted that this matter may be remitted back to the respondents for re-consideration in the light of the decision rendered by this Court in similar OAs.

5. In the wake of the factual position that this issue has already been settled by this Court in the case of A.S. Bedi (supra) and many other similar O.A.s, and finding has been recorded that the pensioners are entitled for medical reimbursement as per CS (MA) Rules, 1944, based upon judicial pronouncements by the Hon'ble Apex Court, the impugned orders dated 18.07.2018 and 04.09.2018 (Annexures A-1 and A-2 respectively) are quashed, and the O.A. is remitted back to the respondents to re-visit the matter, in view of the latest ruling by this Court in the case of A.S. Bedi (supra), and reimburse the admissible medical expenses to him, if he is found similarly situated like the applicant in the aforementioned case. No costs.

(AJANTA DAYALAN)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 30.10.2018

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