

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...

ORIGINAL APPLICATION No.060/00175/2016

Chandigarh, this the 13th day of March, 2018

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CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)

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Bimla Devi widow of Late Sh. Jojinder Pal, aged 66 years, resident of House No.104, Ward No.12, Mohalla Pura, Bassi Pathana, Fatehgarh Sahib (Punjab) (Group-C).

....APPLICANT

(Present: Mr. D.R. Sharma, Advocate)

VERSUS

1. Union of India through the Comptroller & Audit General of India, Pocket No.9, Deen Dayal Upathayay Marg, New Delhi.
2. The Principal Director (IS & IT) Audit), O/o Comptroller & Audit General of India, Pocket No.9, Deen Dayal Upadhyay Marg, New Delhi.
3. The Principal Accounts General (Audit), Punjab and U.T., Plot No.21, Sector 17-E, Chandigarh.

....RESPONDENTS

(Present: Mr. I.S. Sidhu, Advocate)

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J):-

Applicant has assailed order dated 25/28.01.2016 (Annexure A-1), whereby the respondents have rejected her claim for reimbursement of medical expenses by stating therein that there is no provision under law to reimburse the amount of medical reimbursement to retired officials. However, she sought direction from the Tribunal to direct the respondents to reimburse an

amount of Rs.4,10,159/- on account of medical expenses incurred on the treatment of her husband.

2. Brief facts which led to filing of the present O.A are that the husband of the applicant retired from the office of the respondents as Senior Accountant on 28.02.2008. In the year 2015, husband of the applicant suffered from Heart problem for which he was admitted in emergency in Fortis Hospital at Mohali and expired on 18.11.2015. Thereafter, the applicant submitted an application dated 13.01.2016 (Annexure A-2) for reimbursement of medical expenses amounting to Rs.4,10,159/, and the same has been rejected by the impugned order.

3. I have heard learned counsel for the parties, Sh. D.R. Sharma, learned counsel for the for the applicant argued that this court has already considered this issue in number of cases, in which one case of **Mohan Lal Gupta versus Union of India and others**, passed in OA No.060/00291/2015, which was decided on 04.08.2015 holding that retired employees are also entitled for reimbursement of medical expenses. The order passed by this court has been affirmed by the Hon'ble Jurisdictional High Court in CWP No.26270 of 2015 titled as **Union of India and others versus Mohan Lal Gupta and another**, holding that the retired employees are also entitled for reimbursement of medical expenses, therefore, he submitted that the impugned order be quashed and directions be issued to the respondents to reimburse the medical expenses incurred on the treatment of her husband.

4. Sh. Sidhu, learned counsel for the respondents is not in position to rebut his argument. He also not able to cite any judgment contrary to the one cited by other side.

5. In the light of the observation made above, I have left with no other option but to allow the instant OA. The OA is allowed, the impugned orders are hereby quashed and set aside. The respondents are directed to reimburse admissible claim of the applicant as per rule and policy on the subject. Let the above exercise be carried out within a period of one month from the date of receipt of a certified copy of the order. No costs.

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 13.03.2018.

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