

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.060/00538/2018
Chandigarh, this the 29th day of October, 2018

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

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J.K. Sahni S/o Sh. Banarsi Dass Sahni aged 81 years, Ex-Income Tax Officer, now resident of House No. 51, Karnal (Haryana) Group 'B'

....Applicant

(Present: Mr. Jagdeep Jaswal, Advocate)

Versus

1. Union of India, through its Secretary to Government of India, Ministry of Finance, Department of Revenue, Nehru Place, New Delhi, Delhi -110019.
2. Union of India, through its Secretary to Government of India, Ministry of Health and Family Welfare, Department of Health and Family Welfare, New Delhi – 110019.
3. Principal Chief Commissioner of Income Tax, North West Region, Aayakar Bhawan, Sector 17-E, Chandigarh.
4. Income Tax Officer, DDO, Sonapat (Haryana)

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Respondents

(Present: Mr. K.K. Thakur, Advocate)

ORDER (Oral)
SANJEEV KAUSHIK, MEMBER (J)

1. Though the matter was listed for filing written statement today, learned counsel for the applicant submitted that the issue has already been settled by this Court, further upheld up to the Hon'ble Supreme Court and based upon that decision, a number of OAs have already been disposed of, after noticing the contention raised by the respondents which they are usually taking while rejecting the claim for medical reimbursement. He submits that one such case is of **Surinder Mohan Suri Vs. Union of India & others** (O.A. No. 060/00664/2018) decided on 18.10.2018, where a similar relief, as claimed in the present O.A., has been allowed

while rejecting the stereotyped plea of the respondents that the applicant being retiree is not covered under CS(MA) Rules, 1944 for medical reimbursement. He prayed that this O.A. may be disposed of in the same terms.

2. Learned counsel for the respondents was not in a position to raise any other plea than what had already been rejected by this Court in similar OAs. He was also not in a position to cite any law contrary to what had been relied upon in the case of Surinder Mohan Suri (supra).

3. In view of the above, the O.A. is disposed of in terms of order dated 18.10.2018 passed in the case of Surinder Mohan Suri (supra). The impugned orders dated 11.09.2017 (Annexure A-1) and 27.07.2017 (Annexure A-2) are hereby quashed. The respondents are directed to reimburse the admissible amount of medical claim of the applicant within a month from the date of receipt of a copy of this order. No costs.

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 29.10.2018

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