

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.060/00832/2018

Chandigarh, this the 17th day of November, 2018

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

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Harjit Kaur w/o Late Sh. Hardial Singh, aged 78 years, r/o House No. 105/3, Gali Hospital Wali, V & P.O. Rajasansi, Tehsil Ajnala, Amritsar (Punjab) – 143001.

....Applicant

(Present: Mr. K.B. Sharma, Advocate)

Versus

1. Union of India through the Secretary, Ministry of Finance, Department of Revenue, North Block, New Delhi -110001.
2. The Secretary, Ministry of Health & Family Welfare, Director General of CGHSS Room No. 746, A Wing, Nirman Bhawan, New Delhi – 110001.
3. Principal Commissioner of Income Tax – I, Ayykar Bhawan, Maqbool Road Amritsar – 143001.

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Respondents

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

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

1. Heard.
2. Learned counsel for the parties agree that similar O.As, including O.A. NO. 060/00753/2018 titled **A.S. Bedi Vs. Union of India and Others**, 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, vide order dated 17.10.2018, while quashing the similar impugned order passed by the respondents on similar ground that the retirees are not governed by CS (MA) Rules, 1944, and this O.A. may be disposed of in the same terms.

3. Accordingly the O.A. is disposed of in terms of decision dated 17.10.2018 rendered in the case of A.S. Bedi (supra), the operative part of which is extracted hereunder:-

“In view of the aforesaid legal position that stand of the respondents qua non-applicability of CS (MA) Rules, 1944, to the retirees, has been negatives, it is held in that the impugned order, Annexure A-1 cannot be sustained in the eyes of law and deserves to be quashed and set aside, being contrary to legal pronouncements.

In the wake of the aforesaid discussion, and for the parity of reasons given in indicated decisions, we are left with no other option but to allow this O.A. and quash the impugned order, annexure A-1. 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 certified copy of this order. No costs.”

(AJANTA DAYALAN)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 17.11.2018

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