

**Central Administrative Tribunal
Madras Bench**

OA 310/01005/2017

Dated Monday the 20th day of August Two Thousand Eighteen

P R E S E N T

Hon'ble Shri. R. Ramanujam, Member (A)

C. Elumalai
Retired Khalasi Helper
Carriage and Wagon Works
Perambur
Southern Railway

.. Applicant

By Advocate **Mr. Ratio Legis**

Vs.

1. Union of India represented by
The General Manager
Southern Railway
Park Town, Chennai – 3.

2. The Chief Physician
Railway Hospital
Perambur, Chennai 600 023.

.. Respondents

By Advocate **Mr. K. Vijayaragavan**

ORAL ORDER

Pronounced by Hon'ble Mr. R. Ramanujam, Member(A)

Heard. The applicant has filed this OA seeking the following reliefs:

“To call for the records related to impugned order in HQ/MD.34/I/Reimb dated 24.05.2017 passed by the 2nd respondent and to quash the same and further to direct the respondents to do the necessary to direct the respondents to reimburse the claim of Rs. 47,231.50 with admissible interest and to pass such other order/orders”

2. It is submitted that the applicant made a claim on 05.05.2017 for reimbursement of medical expenses of Rs. 47,231.50 incurred on his wife in a private hospital due to requirement of emergency treatment. However, the respondents rejected the claim by Annexure A3 letter dated 24.05.2017 stating that the claim could not be accepted as facilities for treatment were available at Railway Hospital, Perambur and the applicant on his own volition had chosen to go to a private hospital. Aggrieved by the rejection of the claim the applicant is before this Tribunal.

3. On perusal it is seen that the applicant has not attached a copy of the representation made to the respondents but only the claim made in the prescribed format. It is not clear if the treatment in private hospital had been certified to be urgent and inescapable in the given situation.

4. Learned counsel for the respondents would submit that the applicant had approached this Tribunal without exhausting his departmental remedy as he had

not preferred any appeal against the decision conveyed to him by Annexure A3 letter dated 24.05.2017.

5. In view of the above submission, this OA is disposed of with the following direction:-

The applicant is permitted to submit an appeal against Annexure A3 communication of the respondents rejecting his claim for medical reimbursement to the competent authority within two weeks from the date of receipt of a copy of this order. On receipt of such representation, the competent authority shall consider the same and pass an appropriate order within a period of three months thereafter.

6. OA is disposed of.

(R. Ramanujam)
Member(A)
20.08.2018

AS