

**CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.**

ORIGINAL APPLICATION No. 662/2015

Dated this the 21st day of September, 2017
CORAM:HON'BLE DR, K.B. SURESH, MEMBER (JUDICIAL)

Shri. Vasantrao Raghunath Kulkarni

Aged about 88 years,
Ex-Assistant Post Master, Head Office,
Dhule, Residing at: Plot No. 94, Janaki,
Near Vinay Colony, Wadibhokar Road, Deopur,
Dhule 424002.*Applicant*

(Applicant by Advocate Shri. S.R. Atre)

Versus

1. The Union of India

Through the Secretary,
Ministry of communications,
Department of Posts, Dak Bhawan,
New Delhi 110001.

2. The Chief Post Master General,

Maharashtra Circle Mumbai GPO,
Mumbai 400 001.

3. The Post Master General,

Aurangabad Region, Aurangabad 431 002.

**4. The Senior Superintendent of Post
Offices,**

Dhule Division Dhule 424001.*Respondents*
(Respondents by Advocate Shri. V.S. Masurkar)

ORDER (ORAL)

PER:- HON'BLE DR. K.B. SURESH, MEMBER (JUDICIAL)

1. Shri. S.R. Atre, learned advocate for the
applicant is absent.

2. Shri. V.S. Masurkar, learned advocates
appeared for the respondents.

3. Heard. The matter relates to medical reimbursement. Apparently, the nearest government hospital Dr. Bhausaheb Hire Government Medical College, Dhule had given a certificate No. GMC/M/H/436/2013 dated 21.11.2013 indicating that on the particular day on which the applicant is brought in. No facility was available for treatment of "Type-2 Diabetes mellitus with hypertension & Subarachnoid hemorrhage with Hydrocephalus". In fact the the Department of Post vide Annexure A-7 had considered this matter also that in paragraph 2 of the said letter No. E7/MRC/VRK-2007/2012 Dhule dated 14.02.2014 in paragraph 2 referring letter from government hospital for transfer of the case from Astha Intensive Care Centre Dhule to MGM's Hospital Vashi Navi Mumbai. The copy submitted was not held to be applicable as when the appropriate treatment was not available why the referral letter was issued to the government hospital. They also noticed that the emergency certificate from Astha Intensive Care Centre Dhule was not submitted as also MR claim duly completed in all respect and duly countersigned by respective Civil Surgeon. A

certificate from the Chief Medical Officer of the District that the treatment outside the district is recommended is not submitted. But we hold that such certificate is unnecessary in this circumstances of the case, if there is brain damage and consequent hemorrhage in the arachnoid area then immediate treatment is required. Therefore, this certificate has no relevance to the issue at all. But then we find from Page 48-A that an emergency certificate is issued by Mahatma Gandhi Mission's New Bombay Hospital by the Medical Superintendent indicating that on 03.03.2006 the applicant underwent an emergent treatment and the emergent treatment was very essential to save her life.

4. Even otherwise also, if there is brain hemorrhage then emergent treatment is required and if the nearest government hospital do not have the facility to treat it then the applicant had no other way other than to take the patient to a place where this treatment is available. Therefore, being an emergent treatment the full amount required to the treatment is eligible to paid to the applicant. Therefore, the OA is

allowed. The claim of the applicant will be settled in full within two months next.

5. Therefore, the OA is allowed. No costs.

(Dr. K.B. Suresh)
Member (J)

srp