

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

ORIGINAL APPLICATION NO.346/2018

Date Of Decision:- 21st June, 2018.

CORAM: HON'BLE SHRI. R. VIJAYKUMAR, MEMBER (A) .

Dr. Debendranath Panda

Flat No.24, Block-B, Hyderabad Estate
Napean sea Road, Malabar Hills,
Mumbai 400026.

...Applicant

(Applicant by Advocate Shri.G.B.Yadav)

Versus

1. The Union of India

Represented by the Secretary,
Department of Health & Family Welfare,
Ministry of Health & Family Welfare,
156, A wing, Nirman Bhawan,
Maulana Azad Road,
New Delhi 110018.

2.The Directed (CGHS)

Office of the Directorate General of CGHS,
545, A Wing, Nirman Bhawan,
Maulana Azad Road,
New Delhi 110018.

3.Addl. Director, CGHS

Ground Floor, CGHS, M.K.Road,
Pratishtha Bhawan, Mumbai 400020.

4.The Secretary, Department of Revenue,

Ministry of Finance, Govt. of India,
North Block, New Delhi.

5.The Secretary

Department of Personnel & Training,
Govt. of India,
North Block, New Delhi.

...Respondents

ORDER (ORAL)

1. Today, when the matter was called out
for admission, heard Shri. G.B.Yadav,
learned counsel for applicant. I have

carefully perused the case records.

2. The applicant has retired from the CESTAT as a Judicial Member after serving for 11 continuous years without any break at the age of 62. He received a letter, in response to his request for inclusion in the CGHS Scheme for enabling CGHS facilities for himself and his wife, dated 26.10.2017 (Annexure A-1) denying him these facilities on the basis that only those persons who were in receipt of salary and pension from Central Civil Estimates were eligible and that ex-Members of the Tribunal were not entitled for these CGHS facilities. Learned Counsel has now submitted an Office Memorandum dated 28.03.2017 which appears to have enabling provisions supporting his case but requires examination by the respondents.

3. In the circumstances, it would be appropriate to direct the Respondent No.2 to re-examine the request of the applicant with reference to their policy and the instructions contained in the Office Memorandum dated 28.03.2017 and to take a

final view on requests of the pensioner, who is now drawing pension under the New Pension Scheme.

4. This examination may be done by Respondent No.2 and concluded within a period of eight weeks from the date of receipt of certified copy of this order.

5. The order so passed shall then be communicated to the applicant at the earliest, who will be at liberty to approach the appropriate forum in case his grievance still persists.

7. The OA stands disposed of with the above directions at the admission stage, without issuing notice to the respondents and without making any comments on merits of the claim and keeping the legal plea of limitation open.

8. **Dasti.**

(R. Vijaykumar)
Member (A)

srp