

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH**

CP 520/2018 in  
OA 1809/2016

Reserved on 07.12.2018  
Pronounced on 03.01.2019

**Hon'ble Ms. Praveen Mahajan, Member (A)**  
**Hon'ble Mr. S.N.Terdal, Member (J)**

Chander Singh,  
Aged about 67 years,  
S/o Sh. Prabhu,  
R/o VPO Dighal Panna Malayana,  
Distt.-Jhajjar-124107 (Haryana),  
Designation: Retired as  
Sub Inspector.

... Petitioner/Applicant

(By Advocate: Mr.S.N.Sharma)

**VERSUS**

1. Mr. Amulya Patniak,  
The Commissioner of Police,  
Police Headquarters, ITO,  
New Delhi.
2. Ms. Preeti Sudan,  
Secretary,  
Ministry of Health & Family Welfare,  
Department of Health,  
Govt. of India, Nirman Bhawan,  
New Delhi-110001.

... Respondents

(By Advocates: Mrs. Sumedha Sharma and  
Mr.BNP Pathak)

**ORDER**

**Hon'ble Mr. S.N.Terdal, Member (J):**

We have heard Mr. S.N.Sharma, counsel for petitioner and Mrs. Sumedha Sharma and Mr. B.N.P.Pathak, counsel for respondents.

2. This Contempt Petition has been filed by the original applicant for punishing the Contemnors for non compliance of the order dated 10.05.2018 passed by this Tribunal in OA No. 1809/2016. Vide order

dated 10.05.2018 relying upon the order dated 04.05.2018 passed in the case of **Shiv Ram Singh Naulakha Vs. Union of India & Ors.** (OA No. 1731/2016) allowed the appeal. Though a direction was given to issue CGHS card, but, however, a specific direction was not given for settling the pending medical reimbursement claims from the date of retirement. The operative portion of the order is as follows:

“6. Accordingly, this OA is disposed of in terms of **Shiv Ram Singh Naulakha** (supra). The CGHS authorities shall entertain the application of the applicant for CGHS card and issue him the card after receiving the requisite subscription fee from him. The applicant shall apply for such card within four weeks from today. The CGHS authorities shall issue the CGHS card to him within four weeks thereafter.”

In the above said case of Shiv Ram Singh Naulakha (supra) a clear direction was given not only for issuing CGHS card but also for settling pending medical reimbursement claims from the date of retirement. This is clear by reading para 4 of the order dated 10.05.2018. In para 5 of the order dated 10.05.2018 it was specifically mentioned that both the parties have agreed for disposing of OA of the applicant in terms of order dated 4.05.2018 passed in the above said case of Shiv Ram Singh Naulakha (supra). Para 5 is extracted below:

“5. Learned counsel for the parties are ad idem that this O.A could be disposed of in terms of the aforesaid judgment of the Tribunal.”

3. Thus reading para 4, 5 and 6 of the order dated 10.05.2018 together it is crystal clear that though in para 6 it is not specifically directed that pending medical reimbursement claims of the applicant right from the date of retirement should be settled but however as the order dated 10.05.2018 is passed in terms of the order dated 4.05.2018 in the case of above said **Shiv Ram Singh Naulakha**

(supra), there cannot be any doubt that in the case of applicant also the pending medical reimbursement bills since his retirement require to be settled.

4. The Contemnors taking the narrow and technical view to the effect that in para 6 of the order dated 10.05.2018 no specific mentioned is made, they were under the impression that in the case of the applicant the pending medical reimbursement bills since his retirement need not be settled though he may be issued CGHS card.

5. We are of the opinion that para 4, 5 and 6 have to be read together and the Contemnors are required to settle the pending medical reimbursement bills of the applicant since his retirement.

6. We hereby, therefore, explaining the order dated 10.05.2018 passed in OA 1809/2016 of the applicant, direct the Contemnors to settle the pending medical reimbursement claims of the applicant since his retirement within a period of two months and file the compliance affidavit by next date.

List on 05.03.2019.

**(S.N.Terdal)**  
**Member (J)**

**( Praveen Mahajan)**  
**Member (A)**

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