

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

O.A.NO. 060/0771/2019 Date of order:- 23.7.2019.

Coram: **Hon'ble Mr. Sanjeev Kaushik, Member (J)**

Krishan Lal Bhatia son of late Sh. Banarsi Dass, r/o 587, Gali No.3,
Preet Nagar, Batala Road, Amritsar-143 001.

.....Applicant.

(By Advocate :- Mr. Mukesh Kumar Bhatnagar)

Versus

1. Union of India through the Secretary to the Government of India, Ministry of Communication & I.T. Department of Post, Dak Bhawan, New Delhi-110 001.
2. Postmaster General Area II, Sector 17, Chandigarh-160017.
3. Senior Supdt. Of Post Offices, Amritsar Division, Amritsar-143 001.

...Respondents

(By Advocate : Mr. Sanjay Goyal).

ORDER (Oral).

Sanjeev Kaushik, Member (J):

Heard the learned counsel for the applicant. The present petition is against the orders dated 5.4.2019 & 9.5.2019 (Annexures A-1 & A-2) whereby the claim of the applicant for reimbursement of medical claim which has been incurred by him on the treatment of his wife, has been rejected on the ground that the pensioners/retirees are not covered under the Central Services (Medical Attendance) Rules, 1944.

2. Shri Mukesh Kumar Bhatnagar, learned counsel for the applicant vehemently argued that despite judicial pronouncement passed in the case of **Union of India** versus **Mohan Lal Gupta & Another** (2018(1) S.C.T. Page 687), respondents are passing similar orders taking a view which has already been set aside by this Court in the case of **Baldev Raj Sharma** versus **Union of India & Ors.** (O.A.No.060/00668/2018) decided on 18.10.2018 (Annexure A-7) and directions have been given to the respondents to reimburse the admissible amount of medical claim within a period of one month. Thus, learned counsel for the applicant prays that similar order be also passed in the present case.

3. Issue notice to the respondents. Shri Sanjay Goyal, Advocate, accepts notice on behalf of the respondents and he does not object to the disposal of the OA in the above terms.

4. Considering the ad-idem between the parties, this petition is disposed of in limine. The impugned orders dated 5.4.2019 & 9.5.2019 (Annexures A-1 & A-2) are quashed and set aside. The matter is remitted back to the respondents to re-appreciate the case of the applicant for reimbursement of medical expenses, in the light of relied upon cases, as noticed hereinabove, within a period of three months from the date of receipt of a copy of this order.

(SANJEEV KAUSHIK)
MEMBER (J)

Dated:- 23.7.2019.
Kks