

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

O.A.NO. 060/0773/2019 Date of order:- 23.7.2019.

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

Tirlok Chand Aggarwal s/o Sh. Hari Ram, retired Sorting Assistant,
O/o RMS, Haryana Division, Ambala Cantt., r/o House No.29-B, Nishat
Bagh, Behind B.D.Flour Mills, Ambala Cantt.-133 001.

.....Applicant.

(By Advocate :- Mr. Sandeep Siwatch)

Versus

1. Union of India through the Secretary, Ministry of Communications, Department of Post, Dak Bhawan, New Delhi-110 001.
2. Chief Postmaster General, Haryana Postal Circle, Ambala-133 001.
3. The Superintendent, Railway Mail Service, HR Dn. Ambala-133 001.

...Respondents

(By Advocate : Mr. Sanjay Goyal).

O R D E R (Oral).

Sanjeev Kaushik, Member (J):

Heard the learned counsel for the applicant. The present petition is against the order dated 11.6.2019 (Annexure A-1) whereby the claim of the applicant for reimbursement of medical claim which has been incurred by him on his treatment, has been rejected on the ground that there is no provision for the reimbursement of medical expenditure to retired officials under the Central Services (Medical Attendance) Rules, 1944.

2. Shri Sandeep Siwatch, 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 **Surinder Mohan Suri** versus **Union of India & Ors.** (O.A.No.060/00664/2018) decided on 18.10.2018 (Annexure A-4) 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 order dated 11.6.2019 (Annexure A-1) is 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