

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA-2817/2003

New Delhi this the 13th day of April, 2004.

Hon'ble Sh. Shanker Raju, Member(J)

Prayag Dutt,
S/o late Sh. A. Dutt,
R/o Q.No.16/H/57,
Ordnance Factory Estate,
Muradnagar,
Distt. Ghaziabad(UP). Applicant

(through Sh. Yogesh Sharma, Advocate)

Versus

1. Union of India through
the Secretary,
Ministry of Defence,
South Block,
New Delhi.
2. The Principal Controller
of Accounts (Fys),
Ordnance Factory Board,
10-A, S.K. Bose Road,
Kolkata.
3. The General Manager,
Ordnance Factory,
Muradnagar,
Distt. Ghaziabad(UP). Respondents

(through Sh. S.M. Arif, Advocate)

ORDER (ORAL)

Heard the learned counsel for the parties.

2. The claim of the applicant is for reimbursement of the remaining amount of Rs.17506/- which includes recovery of Rs.1535/- from the pay of the applicant. Learned counsel of the applicant states that on enquiries the concerned hospital i.e. N.M. Hospital Mohan Nagar clarified that the medical expenses are inclusive the cost of Rs.3000/- for noon-ionic dye and Rs. 25000/-for Injection

Itegrilin. In this conspectus, it is stated that the General Manager vide his communication dated 1.3.2003 addressed to the Principal Controller of Accounts (Fys) has endorsed and acknowledged the supplementary bill of Rs. 17506/-.

3. Learned counsel states that this issue regarding inclusion of the medicine and injection as medical expenses has been given go bye in the impugned order showing non-application of mind.

4. Learned counsel for the respondents states that whatever has been admissible under the package rate has already been reimbursed to the applicant.

5. Without commenting on the merits of the case we find prima facie that the issue regarding whether dye and injection is inclusive of the medical expenses in the package rates has not at all been considered while rejecting the claim of the applicant.

6. In this view of the matter, we set aside the order and remand back the matter to the respondents for reconsideration. This exercise should be completed within a period of 3 months from the date of receipt of a copy of this order. No costs.

S. Raju
(Shanker Raju)
Member(J)

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