



**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**

O.A/350/210/2017

Date of Order: 01.11.2019

Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member

Naresh Chandra Dey, son of Late Jatindra Nath De,
residing at Madarat Road, opposite to Madarat Popular
Academy, P.O – Madarat, P.S Baruipur, district – South
24 Parganas, Pin code – 743610.

--Applicant

Versus

1. Union of India, through the General Manager,
Eastern Railway, Fairlie Place, Kolkata –
700001.
2. General Manager, South Eastern Railway, Garden
Reach, Kolkata – 700043.
3. The Chief Personnel Officer, South Eastern Railway,
Garden Reach, Kolkata – 700043.
4. The FA & CAO, South Eastern Railway, Garden
Reach, Kolkata – 700043.
5. The Chief Medical Officer, South Eastern Railway,
Garden Reach, Kolkata – 700043.
6. The Medical Director, B. R. Singh Hospital, Eastern
Railway, Sealdah, Kolkata 700014.

--Respondents.

For The Applicant(s): Mr. P. C. Das, counsel
For The Respondent(s): Mr. S. K. Das, counsel
Ms. G. ROY, counsel

ORDER (ORAL)

Per: Ms. Bidisha Banerjee, Member (J):

The applicant is aggrieved as his prayer for medical reimbursement of the cost of surgery for his wife due to right ureteric stone operation conducted or undergone on 19.02.2014, has been turned down with the following:

***"B.R. SINGH HOSPITAL
EASTERN RAILWAY***

No. HM/Med/Reimb/NCD

Dated: the 28th Jan.2015

*Sri Naresh Chandra Dey
ELHS – 17476/BRSH
Madarat Road
P.O Madarat Baruipur
24 Pgs (S)
Pin : 743610.*

Sub: Your appeal dated 21.05.14 for reimbursement of medical expenses for doing treatment at Private Hospital, Kolkata.

In connection with the above, you are hereby informed that the competent authority has scrutinized your appeal and couldn't find sufficient reasons or emergency for above treatment at Non-Rly Hospital without being referred from Rlys. Hence, your justification in support of above reimbursement claim cannot be agreed to.

Hence, your application with enclosures is being returned herewith.

Sd/-----

Medical Director /BRSH"

2. Ld. Counsel for the applicant strongly urged that the rejection is without any reasons as it was a case of emergency and the reason why it has been rejected is not reflected in the rejection order which is cryptic in nature and should be quashed for the end of justice.

3. Per contra, ld. counsel for the respondents submit that upon detail examination of the papers submitted by the applicant, the decision was taken to reject his claim and, therefore, the rejection was justified.

4. Ld. counsels were heard.

5. In view of the fact that the applicant had annexed copies of the medical certificate to discharge summary and details fortifying his claim, respondents are directed to give personal hearing to the applicant within 4 weeks from the date of receipt of a copy of this order, asking him to furnish all the necessary medical certificates that are required to be examined for the purpose of medical reimbursement, upon receipt of such certificates, to examine the claim afresh and pass appropriate order on medical reimbursement in accordance with rules, and the decision to be cited by the applicant within 2 months.

6. For the purpose of effective consideration, the applicant while attending the hearing shall produce all the necessary medical certificates in proof of the fact that the admission was due to emergency and the surgery was in fact undergone.

7. The present O.A accordingly stands disposed of with the aforesaid observations and directions. Respondents shall act untrammelled by the order dated 28.01.2015

(Bidisha Banerjee)
Member (I)

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