

**COURT NO. 1  
ARMED FORCES TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

79.

OA 544/2024

Smt Man Birti Devi Wd/o of ..... Applicant  
Nb Sub Hari Dayal Singh  
Versus  
Union of India & Ors. .... Respondents

For Applicant : Mr. Manoj Kr Gupta, Advocate

For Respondents : Ms. Jyotsna Kaushik, Advocate

CORAM

**HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON  
HON'BLE MS. RASIKA CHAUBE, MEMBER (A)**

**ORDER  
29.01.2025**

Applicant, the widowed lady, has filed this application claiming reimbursement of medical claim pertaining to treatment of her husband to the tune of Rs. 12,00,000/- or any lesser amount as admissible with effect from 01.01.2023 till death of the beneficiary, i.e., applicant's husband on 11.01.2023.

2. From the counter affidavit it is seen that the applicant's husband through the applicant applied for ECHS Card on 01.01.2023, the referral slip was generated on 11.01.2023 by the PC, Danapur on which date the beneficiary died at Paras hospital, Patna. The issue is as to

whether the amount spent on beneficiary's treatment from the period of 01.01.2023 to 11.01.2023 can be reimbursed.

3. We are informed that while filing the application for grant of ECHS Card a sum of Rs. 36,000/- as requisite fee for issuance of card was deposited on 01.01.2023 and a presumption can be drawn under law that it is submitted along with the fees which was accepted on 11.01.2023 on which date unfortunately the beneficiary expired. Has the beneficiary survived after 11.01.2023, in our considered view the entire benefit would have been granted to him.

4. In the interest of justice, the widowed lady be reimbursed the amount spent for the treatment of her late husband between the period 01.01.2023 to 11.01.2023 because the application submitted along with requisite fee was accepted and the acceptance has to be given retrospective effect from 01.01.2023.

5. Respondents to show cause as to why this view should not be taken and based on the same as to what would be the amount she is entitled for the treatment from the period 01.01.2023 to 11.01.2023. Respondents are granted three weeks' time to seek instructions and bring on record the necessary information.

6. List the matter again on 19<sup>th</sup> February, 2025 as **Part Heard**.

7. Let a copy of this order be provided *DASTI* to learned counsel for the parties.

[JUSTICE RAJENDRA MENON]  
CHAIRPERSON

[RASIKA CHAUBE]  
MEMBER (A)

Priya  
OA 544/2024