

**GOVERNMENT OF KERALA****Abstract**

AYUSH Department - Ayurveda Medical Education - Order dated 16.12.2024 in OA(EKM)no.1443/2024 filed by Dr. Seena S.- complied with - Orders issued

AYUSH (A) DEPARTMENT

സ.ഉ.(സാധാ) നം.347/2025/AYUSH Dated, Thiruvananthapuram, 24-06-2025

Read 1 Representation submitted by Dr. Seena S. before Secretary, AYUSH Department dated 13.01.2024 & 13.03.2024 (Annexure A6 & A7)

2 Order dated 16.12.2024 in OA(EKM)no.1443/2024 filed by Dr. Seena.S

3 Letter no. E1/1419/2024/DAME dated 23.01.2025 from Director, Ayurveda Medical Education Department

ORDER

Dr. Seena S., Professor, Panchakarma Department, Government Ayurveda College, Thrippunithura, has filed OA (EKM) 1443/2024 before the Hon'ble Kerala Administrative Tribunal (KAT), Additional Bench, Ernakulam. The Hon'ble Kerala Administrative Tribunal (KAT) in its order dated 16.12.2024 disposed the case as follows:

.....Having regard to the facts and circumstances of the case, this Tribunal is of the considered view that ends of justice will be met if the respondents consider and pass appropriate orders on Annexures A6, A7 and A8 representations. The competent among respondents 1 and 2 shall pass appropriate orders, taking note of the decisions of the Apex Court as well as the Hon'ble High court of Kerala cited above, within a period of one month from the date of receipt of a copy of this order"

2. The contention of the applicant is that she had resorted to treatment in a private hospital at a critical stage. She is relying on the decisions of the Apex Court in Surjit Singh v. State of Punjab and other (AIR 1996

SC 1388) and State of Punjab and others v. Mohinder Singh Chawla [1997(2) SCC 83], and the decisions of the Hon'ble High court of Kerala in Kunjiraman.M.v. State of Kerala [2008 (3) KLT 606] And Prasad K.G.v. State of Kerala [2023 KHC 664] In support of her contention that she is entitled for reimbursement. She also submits that their decision in Prasad K. G's case (cited supra) is squarely applicable to her case.

3. Government have examined the matter in detail with KGSMA Rules 1960 and the Court orders mentioned above and hereby reject the request for expost facto sanction for the treatment availed by the petitioner, as the treatment was not for an emergency medical condition. Hence, the representations read as 1st paper above for the claim for medical re-imburement are hereby rejected.

4. The direction contained in the order of the Hon'ble Kerala Administrative Tribunal read as 2nd paper above is complied herewith.

(By order of the Governor)

ഡോ. രാജൻ നാദേവ് ചൊവ്വപ്പള്ളി എ എസ്
അഡീഷണൽ ചീഫ് സെക്രട്ടറി

To:

The Advocate General, Ernakulam (With covering letter)

The Director of Ayurveda Medical Education, Thiruvananthapuram.

Dr. Seena S., Professor (through DAME)

Law Department (OPN-F2/24/2025-LAW dated 22.05.2025)

Health & Family Welfare(G) Department (HEALTH-G2/199/2025-HEALTH dated 17.06.2025)

The Accountant General (Audit/A&E),Kerala, Thiruvananthapuram

The Director, Web & New media

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Section Officer