

संघ राज्य प्रशासन, लद्दाख

कृषि विभाग



THE ADMINISTRATION OF  
UNION TERRITORY OF LADAKH

Department of Agriculture

File No.: M/431/ 2026 – AC / HC AND FC SEC (C.No. 38765)

ई-मेल / e-mail:  
pstoadmsecy123@gmail.com

यूटी सचिवालय, लेह / UT Secretariat, Leh,  
Dated: 21.04.2026

**Subject: Speaking Order in compliance with Order dated 02.02.2026 passed by Hon'ble CAT, Jammu in O.A. No. 61/51 of 2026 titled "Gulam Mohd. Bardi vs. Department of Agriculture, UT of Ladakh" - reg.**

**Order No. 30-LA(Agri.) of 2026  
Dated:21.04.2026**

**WHEREAS**, the applicant Sh. Gulam Mohd. Bardi has filed the Original Application No. 61/51 of 2026 before the Hon'ble Court of Central Administrative Tribunal at Jammu, seeking directions to the respondents to decide the medical reimbursement claim dated: 24.03.2023, through a reasoned and speaking order within 30 days and declare that absence of a separate UT-Ladakh pensioner medical reimbursement rule does not extinguish entitlement, and that reimbursement continues under the Medical Attendance system, constitutional mandate and Section 95 of the J&K Reorganisation Act, 2019;

**WHEREAS**, the Hon'ble Central Administrative Tribunal, Jammu has disposed of the O.A. No. 61/51 of 2026 vide its Order dated:02.02.2026, the operative part whereof reads as under:

- "1. In light of the foregoing, and given the limited prayer before the Court, it is appropriate to dispose of the Original Application with a direction to the respondents to treat a copy of this Original Application as a formal representation of the applicant and pass a reasoned and speaking order after considering the applicant's case.*
- 2. Respondents shall complete the entire exercise within eight weeks from the date of receipt of a certified copy of this order."*

**WHEREAS**, the applicant, an Ex-Chief Agriculture Officer, **retired in the year 2011**, in the erstwhile State of Jammu and Kashmir, has sought reimbursement of medical expenses incurred on his treatment at SKIMS, Soura, Srinagar and subsequently at Apollo Hospital, New Delhi, **during November–December 2022** and thereafter, along with follow-up treatment;

**WHEREAS**, the following issues arise for determination,

- i. Whether the applicant, being a retired employee, is entitled to medical reimbursement under any applicable rules/framework;
- ii. Whether absence of a specific UT Ladakh pensioner medical reimbursement scheme extinguishes such entitlement;
- iii. Whether subsequent extension of CGHS benefits vide O.M. dated 19.02.2026 has retrospective applicability to the applicant's case;

**WHEREAS**, upon examination, it is observed that,

- i. The **Central Services (Medical Attendance) Rules, 1944** are primarily applicable to **servicing employees**, unless specifically extended;
- ii. No independent or notified **post-retirement medical reimbursement scheme** was in force in UT Ladakh at the time when the applicant incurred the medical expenditure;

**WHEREAS**, it is further observed that the Ministry of Health and Family Welfare, Government of India, vide Office Memorandum dated 19.02.2026, has extended CGHS facilities to all pensioners of the Union Territory of Ladakh, irrespective of their date of superannuation, subject to fulfilment of the conditions mentioned therein;

**WHEREAS**, in light of the aforesaid Office Memorandum, the matter was referred to the Finance Department for clarification regarding its applicability to the applicant, who underwent treatment prior to the issuance of the said O.M.;

**WHEREAS**, the Finance Department, after considering the matter has conveyed its opinion under Internal File No. G/271/2026 (E 40453), as follows;

*"CGHS facilities for retired personnel who retired prior to the reorganization act will have a prospective effect from the date of issuance of the O.M. dated 19.02.2026."*

**WHEREAS**, the applicant has relied upon continuity of entitlement post reorganisation and Section 95 of the J&K Reorganisation Act, 2019. In this regard, it is observed that, Section 95 preserves **existing laws**, but does not automatically create or extend **new financial entitlements** where none existed;

**WHEREAS**, in view of the above analysis, it is found that,

- i. No **enforceable rule or scheme** existed at the relevant time (2022) enabling reimbursement of medical expenses to retired employees of UT Ladakh;
- ii. The claim cannot be sustained solely on **equitable or constitutional grounds in absence of statutory backing**;
- iii. The subsequent policy decision extending CGHS benefits is **prospective and not applicable** to the applicant's case.


**NOW THEREFORE**, in view of the factual position coupled with legal position, the claim of the applicant has been considered with due deference to the Order dated: 02.02.2026 passed by the Hon'ble Central Administrative Tribunal, Jammu in O.A. No. 61/51 of 2026 titled "Gulam Mohd Bardi Vs Department of Agriculture, UT of Ladakh" and has been found devoid of any merit and accordingly, the same cannot be acceded to.

**By order of the Administration of UT of Ladakh.**

Sd/-  
**(Bhupesh Chaudhary) IAS,**  
Administrative Secretary,  
Department of Agriculture.

**Copy to the:**

1. Joint Secretary (Jammu, Kashmir & Ladakh), Ministry of Home Affairs, Government of India.
2. Secretary to the Hon'ble Lieutenant Governor.
3. Administrative Secretary, General Administration Department.
4. Deputy Commissioners/CEOs, LAHDC, Leh/Kargil.
5. Joint Director, Agriculture Department, UT of Ladakh.
6. State Informatics Officer, NIC, Ladakh.
7. DIO, NIC, Leh.
8. OSD to the Chief Secretary, UT of Ladakh for information of the Chief Secretary.
9. Superintendent, Archives, Archaeology & Museums.
10. PA to the Administrative Secretary, Agriculture Department for information of the Administrative Secretary.
11. Sh. Gulam Mohd. Bardi (Applicant) for information.
12. Office record/e-file.

  
21.04.2026  
**(Dr. Mohammad Usman Khan) JKAS,**  
Additional Secretary,  
Department of Agriculture.