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CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

O.A.No.1030/98

New Delhi: Dated this the 24th day of October, 1998.

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A).

Shri Jugal Prasad,
S/o Shri Sat Dev Prasad,
R/o 541, Krishna Nagar Bagh,
Ghaziabad. Applicant.
(By Advocate: Shri Surinder Singh)
Versus

1. The Principal Director of Audit,
Northern Railway,
Baroda House,
New Delhi -01.

2. Senior Audit Officer (G),
Northern Railway,
Baroda House,
New Delhi -01

.... Respondents.

(By Advocate: Shri Madhav Panikar).

ORDER

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A).

Applicant seeks prompt payment against his medical claims and a direction for respondents not to harass him.

2. I have heard applicant's counsel Shri Surinder Singh and respondents counsel Shri Panikar.

3. It is not denied that between March, 1995 and February, 1998 applicant had preferred medical claims on behalf of himself and his family amounting to Rs. 51403/- (Annexure-R1), which have been cleared. In March, 1998 applicant has preferred claims amounting to 3476-25 (Annexure-A2), which is in dispute. Respondents are calling upon applicant to produce the wrappers/empty phials/ bottles in support of this claim, in accordance with Principal Director Audits' Memo dated 2.3.98 (Annexure-R2) before they clear the claim. Applicant contends that this Memo dated 2.3.98 is not in accordance with CSMA Rules or

2

9

prescribed procedure, and if respondents have any doubt regarding the genuineness of the claim they can start a vigilance enquiry against him, instead of putting him through such harassment.

5. Instruction No. 1 for the guidance of Controlling Authorities to prevent abuse of medical reimbursement facilities at page 234 of Swamy's Medical Attendance Rules (Annexure-R104) lays down that all claims in excess of Rs. 1000/- should be thoroughly scrutinised. Furthermore, Rule 6(2) regarding Medical Treatment at page 41 of Central Services (MA) Rules provides that the Controlling Officer shall reject any claim if he is not satisfied with its genuineness, and while doing so will communicate his reasons to the claimant, who may then appeal to the Central Govt.

6. The Memo dated 2.3.98 is applicable to all these in that office and applicant cannot therefore claim to be discriminated against. Even if on earlier occasions this memo was not enforced, does not mean that respondents are precluded from enforcing it, if they have any doubts about the genuineness of the claim, particularly as it exceeds to Rs. 1000/- and they are required to verify it thoroughly.

7. Nothing has been shown to me to suggest that the aforesaid Memo dated 2.3.98 is contrary to any rule or to any procedure that has been prescribed. In fact it is only a means for the thorough verification of medical claims enjoined upon respondents, with particular reference to claims exceeding Rs. 1000/-. If applicant is unable or unwilling to comply with the Memo dated 2.3.98, it is open to him to inform respondents accordingly, and in that circumstance if respondents reject the disputed claim of Rs. 3476.25

10
it is open to applicant to appeal to the Central
Govt. in accordance with the prescribed procedure.

8. The Oq therefore warrants no judicial
interference. It is dismissed. No costs.

S.R. Adige
(S.R. ADIGE)
VICE CHAIRMAN (A).

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