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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD.

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Registration No. O.A. 453/1987

S.J.A.RizviApplicant

Vrs

U.O.I & OthersRespondents

Hon'ble Mr Justice K.Nath, V.C.

This application under the section 19 of the Tribunal's Act 1985 is for reimbursement of Rs 2458.40p. on account of applicant Medical Reimbursement claims for the period between 1984 and 1986. The applicant was working as U.D.C. and claims to have submitted the bills detailed in para 6(2) of the application.

2. The bills are set out in 13 Nos. According to the applicant despite the claim made, the amounts were not paid and he made a representation on 23.4.86 and served a notice dt. 5.3.86 under section 80 C.P.C. The respondent did not reply to either, nor paid the amount.

3. It appears that the responsibility for payment of the amount rested on respondent No. 2 the Controller of Defence Accounts, and the immediate authority who was to make the payment was respondent No. 4, the Chief Engineer in whose office he was employed.

Respondent No. 2 stated in his counter that bills at serial Nos. 1 & 3 were returned to Respondent No. 4 for re-submission, but he never resubmitted the same. It is further said that bills at serial No. 4, 5, 9, 10, 11, 12 & 13 were accepted in full for which cheques in payment were issued along with amounts for other employees also. Regarding bill at serial No. 6 payment of Rs 220.55p. in part was submitted and cheque issued,

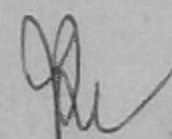
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while the bill for Rs 109.50p. had not been received. The claim in respect of Bills at serial nos. 7 & 8 was accepted only for Rs 195.85p.

The statements contain in the counter of respondent no. 4 is that bill Nos. 1 & 3 had been received from respondent No. 2 and were sent onwards to Chief Medical Officer for verification, but the Chief Medical Officer did not resubmit~~✓~~ them, and therefore it was not possible to send them onward to respondent No. 2. Further the Counsel for the respondents has stated at the bar that according to instructions received from respondent No. 4, these bills have also been accepted, and authority for payment has been given. Respondent No. 4 says that although the amounts of accepted claims were sent to the applicant, he did not accept the same. The counsel of the applicant denies refusal. Be that as it may, the fact remains that the applicant has still to receive the amounts which have been accepted by the respondents 2 & 4. It appears that the respondents have to pay Rs 3317.00; out of this a sum of Rs 1000.00 had been received by the applicant as advance hence he entitled to receive Rs 2317.00 only.

This petition is disposed of with a direction to respondent 2 & 4 to ensure payment of sum of Rs 2317.00 to the applicant within a period of 6 weeks from the date of receipt of a copy of this judgment.


24.7.91
Vice-Chairman

Dated: 24.7.91.

pankaj