

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allahabad : Dated this 24th day of August, 2000

Original Application No. 643 of 1999

District : Allahabad

CURAM :-

Hon'ble 'r. Rafiquddin, J.M.

Hari Prasad S/o Sri D.R. Prasad,
Resident of Rly. Qr. No. 696-A,
Loco Colony, N.Y. Road, Allahabad,
posted as Extension Educator/Family Welfare
Northern Railway Hospital, Allahabad.

(Sri M.A. Zaidi, Advocate)

..... Applicant

Versus

1. Divisional Railway Manager,
N. Rly, Allahabad.
2. Chief Medical Superintendent,
Northern Railway Divisional Hospital,
Allahabad.
3. Senior Divisional Personnel Officer/Welfare
Northern Railway, D.R.M. Office,
Allahabad.
4. Lal Babu, Chief Welfare Inspector,
Northern Railway, D.R.M. Office,
Personnel Branch, Allahabad.
5. Senior Divisional Accounts Officer,
Northern Railway, Allahabad.

(Sri Avnish Tripathi, Advocate)

..... Respondents

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ORDER (Urgent)

By Hon'ble Mr. Rafiuddin, J.M.

The applicant has filed this OA seeking a direction to the respondents to make payment of the medical reimbursement bill dated 2-11-1998 for Rs.1272.50P alongwith interest @ 18%. The applicant has also claimed Rs.10,000/- towards damages and harassment and mental agony suffered by the applicant, and Rs.2000/- as costs of the OA.

2. It is an admitted case of the party that medical reimbursement bill of the applicant, who is working on the post of Extension Education/Family Welfare in the Family Welfare Department of Northern Railway, Division Allahabad under the Chief Medical Superintendent, Divisional Hospital, Allahabad, for Rs.1272/50P, was received in the office of respondent no.2 on 18-1-1999. According to the respondents, after receipt of the bill the same was ~~boxed~~ put up for orders before the competent authority for sanction and after obtaining sanction and after obtaining sanction it was submitted to the Accounts Officer vide letter dated 18-3-1999 for getting payment. The Senior D.A.O., however, raised certain objections and asked certain comments from the medical authorities. The Chief Medical Superintendent, Allahabad after giving suitable reply submitted the same to the Senior D.A.O. Allahabad vide his letter dated 16-9-1999. The allegations of the applicant are that Sri Lal Babu, the Chief Welfare Inspector, respondent no.4 adopted delaying tactics and demanded 10% of the bill for passing the bill.

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3. I have heard Sri Avnish Tripathi, counsel for the respondent and the applicant in person also and perused the written argument..

4. In his written argument, the applicant has admitted having received the payment of Rs.1272/50/- on 30-5-2000 under protest. It is, however, argued on behalf of the applicant that the payment of his bill was not made till 29-5-2000. Hence, he is entitled for costs made till 29-5-2000. and damages for his harassment because he was harassed unnecessarily and deprived of his payment without any reason. As regards the claim of damages, no such relief can be granted to the applicant by the Tribunal. However, considering the facts of the case, the applicant is entitled for costs of the case because there does not appear any reasonable ^{ground} for delaying payment of the bill on the part of the respondents. Accordingly, the OA is disposed of with the direction to the respondents to pay a sum of Rs.500/- as costs of the OA which shall be paid within three months from the date of communication of this order to the applicant. The respondents are at liberty to recover this cost from the officials who are responsible for this undue delay making payment of the bill of the applicant, if the responsibility is fixed after enquiry.

Rajendra
Member (J)

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