

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

Original Application No.268/2014

Jodhpur, this the 22nd day of May, 2015

CORAM

Hon'ble Ms. Meenakshi Hooja, Administrative Member

Bhanu Pratap Singh S/o Late Shri Satyanarain Pal Singh, aged about 66 years, R/o Behind Oil Mill, Gali No.14, Rampura Basti, Biakner, Raj, retired from the post of Senior Scientist in the office of Central Arid Zone, Research Institute, Regional Research Station, Bikaner, Rajasthan.

.....Applicant

By Advocate: Mr. S.K. Malik.

Versus

1. The Indian Council of Agricultural Research through its Secretary, Krishi Bhawan, New Delhi.
2. The Director, Central Arid Zone, Research Institute, CAZRI, Jodhpur.
3. The Assistant Administrative Officer, Central Arid Zone, Research Institute, Regional Research Station, Bikaner, Rajasthan.

.....Respondents

By Advocate : Mr. A.K. Chhangani.

ORDER (Oral)

This OA has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 against the illegal action /omission on the part of the respondents not to make payment of medical bills and interest on delayed payment and seeking the following relief(s):-

“(i) By an appropriate writ order or direction respondents may be directed to

- (ii) *By an order or direction respondents may further be directed to make payment of interest on the delay payment of medical claim amounting to Rs.288166/- w.e.f. 19.04.2010 to 21.09.2013 @ 12% P.A.*
- (iii) *Exemplary cost be imposed on the respondents for causing undue harassments to the applicant.*
- (iv) *Any other relief with is found just and proper be passed in favour of the applicant in the interest of justice."*

2. Brief facts of the case as averred by the applicant are that the applicant submitted three medical bills for payment in respondent's Department on 19.04.2007, 19.02.2010 and 19.04.2010 amounting to Rs.10508/-, 6591/- out of which Rs.698/- for the treatment taken by him and his wife while working in the respondent department and since the payment was not made applicant filed OA No.589/2011 which was decided by this Tribunal on 01.08.2013, wherein impugned orders were quashed with direction to respondent department to reimburse the medical claim of the applicant for treatment of his wife as far as permissible under the relevant rules and if any payment is not permissible then to inform the applicant by a speaking and reasoned order specifying the relevant rules/ provision/ order of government within a period of one month from the date of the receipt of the order. So far as interest on the amount of reimbursement is concerned, the applicant may raise his objection to the competent authority in the respondent department regarding interest on reimbursement and thereafter if any grievance remains with the applicant he may approach this Tribunal if so desires. The order of the Tribunal dated 01.08.2013 is annexed as Annexure-A/1 and the receipt of medical bills dated 19.04.2007, Certificate A and letter dated 19.04.2010 is annexed

dated 21.09.2013 (Annexure-A/5) made the payment of medical bill submitted on 19.04.2007 (Annexure-A/2) amounting to Rs.2,88,166/- out of claim of Rs.2,89,506/- and the rest two medical bills amounting to Rs.10,508/- and Rs.5893/- were not paid nor any interest paid on the amount of Rs.2,88,166/-. Against this applicant submitted representation dated 09.10.2013 (Annexure-A/6) before the respondents and the respondent vide letter 17/18/10.2013 (Annexure-A/7) issued DD amounting to Rs.5716/- against the claim of Rs.10,508/- which was submitted and received by the respondent on 19.04.2007. The applicant again made a representation dated 14.11.2013 (Annexure-A/8) before the respondents for making payment of interest on the delayed payment and left out amount of medical bills i.e. Rs.4792/- and Rs.5893/- but since no reply was received applicant submitted reminders as at Annexures-A/9 to A/14 but of no avail. Therefore the applicant has filed this present OA for the reliefs mentioned in para No.1.

3. Heard. Counsel for the applicant submits that the reply has not been filed by the respondents and the applicant is being deprived of the benefits of the payment of two medical bills amounting to Rs.4792/- and Rs.5893/- along with due interest thereupon, as also interest w.e.f. 19.04.2010 to 21.09.2013 on delayed payment of Rs.2,88,166/-.

4. In this regard, counsel for the respondents submitted that though the respondents have not filed the reply but the representation filed by the applicant at Annexure-A/8 dated 14.11.2013, followed by reminder at

5. In view of the pendency of the representations at Annexure-A/8 to A/14, it is considered just and proper to dispose of this OA with certain directions.


6. Accordingly the respondent department is directed to consider the pending representations of the applicant at Annexures-A/8 to A/14 in accordance with law and in the light of Annexure-A/1, which is the order of this Tribunal dated 01.08.2013 passed in OA No.589/2011 filed by the applicant himself. Further the respondents are directed to treat the OA as an additional representation, and decide the matter regarding the remaining payments for the medical bills and interest if any due to the applicant, within a period of three months from the date of receipt of a copy of this order.



(MEENAKSHI HOOJA)
Administrative Member

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S.K. Malik
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