

2

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No. 211/95
Transfer Application No.

Date of Decision : 3.4.95

Shri. ~~El~~nath Hari Deshmukh

Petitioner

Shri S.P.Kulkarni

Advocate for the
Petitioners

Versus

Union of India and others.

Respondents

Advocate for the
respondents

C O R A M :

The Hon'ble Shri B.S. Hegde, Member (J)

The Hon'ble Shri

(1) To be referred to the Reporter or not ? y

(2) Whether it needs to be circulated to
other Benches of the Tribunal? y

B.S. Hegde
(B.S. Hegde)
Member (J)

(3)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No. 211/95

Shri. Eknath Hari Deshmukh

... Applicant.

V/s.

Union of India through
Superintendent of Post
Offices,
Jalgaon - 425 002

Postmaster General
Aurangabad Region
Aurangabad

Secretary
Department of Post
Ministry of Communication
through Director General(posts)
Dak Bhavan, New Delhi.

... Respondents.

CORAM: Hon'ble Shri B.S. Hegde, Member (J)

Appearance:

Shri S.P. Kulkarni, counsel
for the applicant.

ORAL JUDGEMENT

Dated: 3.4.95

¶ Per Shri B.S. Hegde, Member (J) ¶


The only prayer made in this O.A.
is that the respondents have not paid the interest
at 12 % for delay of 17 months (i.e. 16.6.1992 to
6.12.1993) on Rs. 64,427.45 , Medical Reimbursement
Bill amount.

2. The brief facts was that the applicant
had applied for Medical Advance of Rs. 60,000/- on
31.3.92. The applicant underwent "BY Pass Surgery"
for "Ischamic Heart Disease" at Bombay Hospital on
13.5.92 and a bill of Rs. 64,837.45 was submitted
on 17.6.92, for which the sanctioned accorded by
the respondents and the actual payment was made on
6.12.93. The main contention of the learned counsel

...2...

for the applicant is that there was considerable delay in making the payment and thus he sought for interest for the delayed payment.

3. The respondents in their reply dated 14.11.94 stated that there is no provision under CS(MA) Rules to pay interest on Medical Reimbursement claim. The learned counsel for the applicant was not able to quote the Rule under which the applicant is entitled to for payment of interest on the delayed payment. There is no delay on the part of the respondents as the sanction has to be approved by the competent authority concerned and there is no intentional delay on the part of the respondents in making the payment. Accordingly the O.A. is dismissed at the admission stage itself as there is no merit in the O.A.


(B.S. Hegde)
Member (J)

NS