

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH, MUMBAI.

Contempt Petition No. 29/2000 in  
ORIGINAL APPLICATION NO.: 784/98

Date of Decision : 22.11.2000

S.S.Murthy Applicant.

\_\_\_\_\_  
Advocate for the  
Applicant.

VERSUS

Union of India & Ors. Respondents.


Shri V.S.Masurkar Advocate for the  
Respondents.

CORAM :

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

The Hon'ble Smt. Shanta Shastry, Member (A)

- (i) To be referred to the Reporter or not ?
- (ii) Whether it needs to be circulated to other Benches of the Tribunal ?
- (iii) Library

  
(B.S.Jai Parameshwar)  
MEMBER (J)  
22.11.00

mrj\*

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH, MUMBAI

C.P.No.29/2000 in OA.NO.784/98.

Wednesday this the 22nd day of November,2000.

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

Hon'ble Smt.Shanta Shastri, Member (A)

S.Srinivasa Murthy,  
Divisional Engineer,DLL-3,  
Mahanagar Telephone Nigam Limited,  
2nd Floor, Currey Road Telephone  
Exchange, Mumbai.

... Applicant

V/S.

Union of India  
represented by  
Shri P.S.Saran,  
Secretary,  
Department of Telecom Service,  
New Delhi & Ors.

... Respondents

By Advocate Shri V.S.Masurkar

O R D E R (ORAL)

{Per : Shri B.S.Jai Parameshwar, Member (J)}

This matter came up for hearing in the morning session. As the applicant was appearing in person, we felt it proper to give him an opportunity. Accordingly, we adjourned the matter. When we took up the matter at 3.35 p.m., the applicant was absent.

*DL*

..2/-

2. Heard Shri V.S.Masurkar, learned Standing Counsel for the respondents.

3. The applicant has filed this application to proceed against the respondents for non compliance of the order dated 11.2.1999 passed in the OA. The final directions issued in the OA. read as under :-

" 7. The prayer of applicant asking for interest is wholly unwarranted. The respondents are duty bound to check all the bills and find out whether they are correct or not as compared to rules and since it is a matter dealing with public funds, the officer will have to be careful for scrutinising and passing the bills, merely because there is some delay in passing bills, the applicant cannot make allegations against Officers. There is no personal enmity or hostility between applicant and officers. Even, if the respondents have deducted certain amount, the applicant need not make any allegation against Officers. Similarly, the applicant's claim for interest is also unwarranted. Government is granting amount for reimbursement as a model employer. The very payment itself is concessional, therefore, claiming interest for such concessional payment is not warranted. Therefore, the claim is rejected.

8. In the result, the application is disposed of subject to above observations. The applicant may claim whatever amount is due by making proper representations and producing necessary certificates from Doctors and Hospital concerned. No order as to costs."

4. As per the directions given in the OA., the applicant made representation for reimbursement of medical expenses.



..3/-

5. The applicant feels aggrieved in not reimbursing the amount spent for these items :-

1. Difference pertaining to routine scan Rs. 600.00 (July'99)
2. Other Investigation Charges Rs.1020.00 (July'97 to Mar'99)
3. Blood Transfusion Charges Rs.1400.00 (Sept.'98)
4. Doctor's charges during Hospitali- Rs.1980.00 (July'97)  
sation.

6. The respondents have filed the reply. They submit that reimbursements have been paid to the applicant as per O.M.dated 11.7.1997. Further, they submit that Blood Transfusion charges was claimed on the basis of certificate dated 30.3.1999 and the same was not received by them. They submit that the said certificate was brought on record for the first time and the same is still not submitted by the applicant to the authorities. However, during the course of hearing, the learned counsel for the respondents conceded that the respondents would reimburse the Blood Transfusion charges provided the applicant gives the original certificate.

7. The respondents submit that they have paid scanning charges. The learned counsel for the respondents submits that the amount spent by the applicant for scanning charges has been reimbursed in accordance with the rules and that any claim made



by him is in excess of permissible limit. Thus, he submits that the applicant is not entitled for Doctor's charges during hospitalisation. The respondents submit that the applicant has been paid the said charges also.


8. Thus, the respondents submit that there is no substance in the C.P.

9. We feel since the applicant is appearing in person and he is absent, if he has any grievance regarding reimbursement of medical expenses spent by him, he may approach the proper authority and on such approach the respondents shall explain the provisions of the rules and decide <sup>the</sup> claim. The applicant shall not be compelled to approach this forum again.

10. With the above observations, the C.P. is discharged.

  
(SMT. SHANTA SHASTRY)

MEMBER (A)

  
22.11.2000  
(B.S. JAI PARAMESHWAR)

MEMBER (J)

mrj.