

**CENTRAL ADMINISTRATIVE TRIBUNAL
JABALPUR BENCH**

OA No.1088/04

Jabalpur, this the 31st day of January, 2005.

C O R A M

Hon'ble Mr.Madan Mohan, Judicial Member

D.K.Rao
Retd. Asstt. Commissioner of Income Tax
H.No.27/584, Lane No.4
New Shantinagar
Raipur – 492 006 (C.G.)

Applicant

(By advocate Shri A.P.Shrivastava)

Versus

1. Union of India through
Secretary
Ministry of Finance
North Block
New Delhi.
2. Chief Commissioner of Income Tax
Central Revenue Building, Raipur
Chattisgarh.
3. Commissioner of Income Tax
Central Revnuc Building, Raipur
Chattisgarh.
4. Addl. Commissioner of Income Tax
Range-I, Central Revnuc Building
Raipur, Chattisgarh.
5. Zonal Accounts Officer
Central Board of Direct Taxes
Income Tax Department
184, M.P.Nagar
Bhopal.

Respondents

(By advocate Nonc)



O R D E R (oral)

By Madan Mohan, Judicial Member

By filing this OA, the applicant has claimed the following main reliefs:

(i) Direct the respondents to make balance payment of Rs.78,831/- against bill for Rs.1,78,330 as bill for angiography and by-pass surgery.

(ii) Consequential interest for delayed payments.

2. The brief facts of the case are that the applicant was working as Assistant Commissioner of Income Tax at Raipur. He suffered from Coronary artery disease. The matter was referred to Pt.Jawaharlal Nehru Medical College, Raipur. The Medical College issued a certificate and referred the matter for special treatment/investigation at Apollo Hospital, Chennai (Annexure A3). The applicant took treatment at Apollo Hospital, Chennai and had undergone angiography and subsequently by-pass surgery on 4.2.97. The applicant submitted two medical bills amounting to Rs.1,78,330/- while the respondents reimbursed only Rs.99,500/- i.e. less Rs.78,830/-. The applicant made a representation, followed by a reminder but these were rejected vide letter dated 12.12.03 (Annexure A1) and letter dated 23.10.2000 (Annexure A2).

3. Learned counsel for the applicant argued that the respondents may be directed to consider the claim of the applicant. He also cited the ruling of the Hon'ble Supreme Court – 1997 (1) Judgement Today - SC. P.416 - State of Punjab & Others Vs. Mohinder Singh Chawla etc., decided on 17.12.96.

4. The applicant may file a representation within 15 days from today and if he complies with this, then the respondents are directed to consider and decide the representation within a period of two months from the date of receipt of a copy of the said representation.

5. A copy of the OA and the ruling cited may also be sent to the respondents along with the representation.
6. The OA is disposed as above. No costs.


(Madan Mohan)
Judicial Member

aa.

पृष्ठांकन सं. ओ/न्या.....जबलपुर, दि.....
प्रतिलिपि अच्छे लिखा:-

(1) सचिव, उच्च न्यायालय बार हायरिशन, जबलपुर
(2) आदेशक श्री/श्रीमती/कु.....के काउंसल
(3) प्रस्तावी श्री/श्रीमती/कु.....के काउंसल
(4) बाला, बोरा, जबलपुर न्यायपीठ

सूचना एवं आवश्यक कार्यवाही हेतु

Shri A P Shrivastava, HC JBP
Res No 1 dt 5

2-2-05

उप रजिस्ट्रार

Issued
On 2-2-05
By