

CENTRAL ADMINISTRATIVE TRIBUNAL  
JABALPUR BENCH

OA No.1106/04

Jabalpur, this the 31<sup>st</sup> day of January, 2005.

CO R A M

Hon'ble Mr.Madan Mohan, Judicial Member

G.P.Ghare  
Asstt. Commissioner of Income Tax  
Anand Nagar  
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 Revenue Building, Raipur  
Chattisgarh.
4. Addl. Commissioner of Income Tax  
Range-I, Central Revenue Building  
Raipur, Chattisgarh.
5. Zonal Accounts Officer  
Central Board of Direct Taxes  
Income Tax Department  
184, M.P.Nagar  
Bhopal.

Respondents

(By advocate None)



ORDER (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.41,244/- against bill for Rs.1,22,244/- 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 is working as Assistant Commissioner of Income Tax at Raipur. He suffered from Coronary artery disease. The matter was referred to Director Medical Education Bhopal. The Commissioner of Income Tax Jabalpur by letter dated 23.9.93 accorded permission for investigation/treatment at Apollo Hospital, Chennai (Annexure A3). The applicant took treatment at Apollo Hospital, Chennai and had undergone angiography and subsequently by-pass surgery. The applicant submitted two medical bills amounting to Rs.1,22,244/- while the respondents reimbursed only Rs.81,000/- i.e. less Rs.41,242/-. 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 fresh 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/व्या.....जबलपुर, दि.....  
प्रतिलिपि अब्दे दिन:—

- (1) सचिव, उच्च व्यायालय दार एसोसिएशन, जबलपुर
- (2) आवेदक श्री/क्षीरदी/चु.....के काउंसल
- (3) प्रत्यक्षी श्री/क्षीरदी/चु.....के काउंसल
- (4) दंसपाल, देसां, जबलपुर व्यायामीन  
राज्यालय एवं आवश्यक कार्यवाही हेतु

Shri AP Shrivastava, H.C.J.B.D  
Reg. No. 1/205

PMZ 2-2-05  
उप रजिस्ट्रार

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