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CENTRAL ADMINISTRATIVE TRIBUNAL
JABALPUR BENCH

OA No.1106/04

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

C O 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)



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.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

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पृष्ठांकन सं ओ/न्या.....जबलपुर, दि.....
प तिलिपि अ नो धित :-

- (1) सचिव, उच्च न्यायालय नगर एसोसिएशन, जबलपुर
- (2) आवेदक श्री/श्रीमती/बुके काउंसल *Shri AP Shrivastava, H.C. JBP*
- (3) प्रत्ययी श्री/श्रीमती/बुके काउंसल *Res no 1 & 5*
- (4) न्यायालय, के.एम.आ., जबलपुर न्यायाधीश
सूचना एवं आवश्यक कार्यवाही हेतु *PMJ*
उप रजिस्ट्रार *2-2-05*

Issued
On 2-2-05
BS