

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 283 of 2001

Jabalpur, this the 20th day of April, 2004

Hon'ble Mr. M.P. Singh, Vice Chairman

R.N. Paroha,
Son of Late Jagdish Prasad Paroha
aged 57 years, resident of Quarter
No.350 East Ghampur, Lalmati Jabalpur
(Madhya Pradesh)

APPLICANT

(By Advocate - Shri Jitendra Tiwari)

VERSUS

1. Union of India,
through Secretary Ministry of
Defence Defence Department of
Production New Delhi.
2. The Chairman
Ordnance Factory Board
10-A Auckland Road, S.K.
Bose Road Kolikatta(W.B.)
3. General Manager
Vehicle Factory, Jabalpur
District Jabalpur M.P.

RESPONDENTS

(By Advocate - Shri P.Shankaran)

O R D E R

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

"(ii) to direct the respondents to release remaining medical claim of the applicant as early as possible alongwith the interest of 30% P.A."

2. The applicant is an employee under respondent no.3, i.e. the Vehicle Factory, Jabalpur. While he was working in the Industrial cadre, his son Yuvraj Paroha fell sick in 1992 and referred to Bombay Hospital for further investigation and treatment in terms of CS(MA)Rules, 1944. After completion of medical treatment, the applicant preferred medical reimbursement claim amounting to Rs.95,564/- on 25.11.1992. However, there were certain disputes about the dependency of the son of the applicant. The matter was referred to the Security Officer under

the respondent no.3 for investigation. Thereafter, a complaint was received that the bill submitted by the applicant is a fraudulent claim. This was also investigated and his reimbursement claim was kept pending. Ultimately, the bill was resubmitted to the audit on 21.9.2000, who passed the bill for a sum of Rs.94,134/- after deducting a sum of Rs.1430/- towards inadmissible claim and the amount was thus paid to the applicant on 9.10.2000.

2.1 After receipt of the above sum, the applicant submitted an application on 3.11.2000 claiming reimbursement of Rs.1,83,000/- for the treatment of his son, i.e. in addition to the amount already paid to him, without giving any explanation for delay in submitting the bill after a lapse of 8 years. The respondent no.3 after scrutiny of the documents attached with the claim, rejected the claim and informed the applicant vide letter dated 23.12.2000. In the letter dated 23.12.2000 it has been stated that the claim is belated and time barred, therefore, the same has now lapsed. It is also stated therein that the claim should have been submitted within 3 months from the date of completion of the treatment i.e. 31.12.1992. Aggrieved by this, the applicant has filed this OA.

3. Heard both the learned counsel of parties.

4. The learned counsel for the applicant has submitted that the bill was submitted by the applicant in time but the same was not passed by the respondents. The applicant had sent reminders from time to time. On the other hand the learned counsel for the respondents has stated that there is no correspondence between the applicant and the respondents about this claim during the period from 1992 to 2000. It was only on 3.11.2000 that the applicant had submitted this bill, after the amount of Rs.94,134/- was paid to him.

5. I have given careful consideration to the arguments advanced by the learned counsel of parties. I find that the applicant has submitted the bill of Rs.1,83,000/- for medical reimbursement only on 3.11.2000 i.e. after the medical reimbursement of Rs.94,134/- was paid to him on 9.10.2000. The learned counsel for the applicant has failed to establish by giving supporting evidence that the bill was submitted by the applicant within the time as required under the rules. As per the rules, the bill was required to be submitted within three months from the date of completion of the medical treatment. I also find from the letter dated 23.12.2000 issued by the respondents to the applicant that the bill submitted by the applicant do not have the supporting documents. The respondents in the letter dated 23.12.2000 pointed out to the applicant that the "Essentiality Certificate Pt.B" has not been countersigned by the Medical Supdtt. of the Hospital from where the treatment has been availed".

6. In view of the fact that the applicant has not submitted the bill in time from the date of completion of the treatment and also the bill is not supported by the required documents including the essentiality certificate signed by the Medical Superintendent, of the Hospital, the respondents are justified in rejecting the claim of the applicant. Accordingly, the OA has no merit and is dismissed without any order as to costs.

WPS
(M.P.Singh)
Vice Chairman

rkv.

*Recd
22.4.01*

*प्रमाणित करने वाले का नाम
(1) डॉ. एम. पी. सिंह (2) डॉ. प. शंकराराव
(3) डॉ. एम. पी. सिंह (4) डॉ. प. शंकराराव
प्रमाणित करने वाले का नाम*