

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,

CIRCUIT BENCH AT INDORE

Original Application No. 337 of 2000

Indore, this the 12th day of January, 2004

Hon'ble Shri M.P. Singh, Vice Chairman
Hon'ble Shri G. Shanthappa, Judicial Member

T.C. Agrawal, S/o. Shri P.C.
Agrawal, aged about 59 years,
Designation - Office Supdt. (Asstt.),
Office Address - Military College of
Telecom. Engg. Mhow (MP), R/o. HoNo.
106, Gupta Compound, Mona Villa,
Lunia Pura, Mhow (MP)-453441.

... Applicant

(By Advocate - Shri I.H. Khan)

V e r s u s

Union of India, Through :

1. The Secretary, Government
of India, Ministry of
Defence, New Delhi.
2. The Signal Officer-in-Chief,
Sigs-4(c), Sigs Dte. Army Head
Quarters, DHQ., PO., New Delhi.
3. The Commandant, Military College
of Telecom. Engg. Mhow (MP)-
453441.
4. The CDA. (Funds), Meerut-
Cantt.

... Respondents

(By Advocate - Shri V. Saran)

O R D E R (Oral)

By G. Shanthappa, Judicial Member -

The above Original Application is filed seeking the relief for payment of Rs. 22,268/- against Medical Claim which was already sanctioned by the CDA, CC, Jabalpur and also other amounts arising out of Missing credit and short credit arising out of GPF account. He has also sought further relief for payment of Rs. 75,560/- as total amount of GPF to be paid in December, 1998, which was

Gp.

delayed for four months and interest of Rs. 3,020/- be also paid as interest for four months.

2. The brief facts of the case are that the applicant was holding the post of Office Supdt. Grade-II (Assistant in the Department of MCTE, having completed 38 years of qualifying service he has taken voluntary retirement with effect from 1st January, 1999. The applicant fell ill and he suffered paralytic stroke^{and} for that he has submitted his medical reimbursement claim for an amount of Rs. 23,343/-. The respondents have considered and passed the order vide Annexure A-1 for sanctioning the medical claim of Rs. 22,268/- and they have disallowed a sum of Rs. 1,075/-. After sanctioning the medical claim the respondents have not paid the amount to the applicant.

3. The respondents have filed their reply contending that the applicant had submitted his application for medical reimbursement of Rs. 23,342/- and they have considered the same. It is important to mention here that the applicant had neither taken medical treatment at Government authorised hospital nor his case was an emergent case. His case was referred to the CDA (CC), Jabalpur for obtaining their opinion on 13.09.1997. It is further case of the respondents that the applicant in connivance with some of the employees of CDA(CC), Jabalpur got issued a cheque slip of Rs. 22,334/- for payment to him. Neither any pay bill was submitted to CDA (CC), Jabalpur nor his application for claiming medical expenses was countersigned by the Controlling Authority. Somebody with the connivance of some employees of CDA(CC), Jabalpur, included name of the applicant in

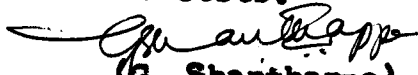
CR

the pay bill pertaining to other employees of the College and all the entries of the pay bills were altered at CDA(CC), Jabalpur. Apart from this, some body made false signature of Col. Adm. (Countersigning Authority) in the application form, claiming medical expenses under the place "Countersigned". This fraud case had been submitted to CDA(CC), Jabalpur for investigation to look into the circumstances under which such a fraud took place. The CDA(CC), Jabalpur called back the above amount, which has already been refunded to them. It is also submitted that the issuance of the cheque is under purview of CDA(CC), Jabalpur, who is not made party in this case. The said investigation is still pending. According to the respondents the said amount has not been paid to the applicant.

4. After hearing the learned counsel for the parties, we find that, the respondents have submitted that, ^{that} direction be given to them for fixing a time period to conclude the enquiry and pay the amount to the applicant as the controlling authority has passed orders for medical reimbursement of Rs. 22,268/-. The submission of the respondents is recorded. Accordingly the respondents are directed to conclude the enquiry regarding ^{not false} medical ^{cf.} claim of the applicant within a period of six months from the date of receipt of copy of this order. If the enquiry is not completed within the said period, the enquiry will be treated non est and the medical claim of Rs. 22,268/- will be made to the applicant with interest from the date of claim of delayed payment to the date of final payment.

5. Original Application stands disposed of accordingly.

No costs.


G. Shanthappa
Judicial Member

"SA"


(M.P. Singh)
Vice Chairman