

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A.NO.822 OF 2017
New Delhi, this the 15th day of January, 2018

CORAM:
HON'BLE SHRI RAJ VIR SHARMA, JUDICIAL MEMBER

.....

Dr. Om Prakash Singh,
 Aged about 68 years,
 Retd. Scientist,
 s/o Sh.Nathu Singh,
 R/o S-227, Panchsheel Park,
 New Delhi 17

.....

Applicant

(By Advocate: Mr.Raj Kumar Bhol,proxy for Shri B.L.Jangir)

Vs.

1. Indian Council of Agricultural Research (ICAR),
 Through its Secretary,
 Krishi Bhawan,
 New Delhi 110001

2. The Director,
 Central Potato Research Institute (CPRI),
 (A unit of ICAR),
 Shimla 171001 (HP)

3. The Joint Director,
 ICAR-Central Potato Research Institute Campus,
 Post Box No.14, Modipuram,
 Meerut 250110 (UP)

Respondents

(By Advocate: Mr.B.S.Mor)

.....

ORDER

The applicant retired from service as a Scientist of the respondent-Organization in the year 2011. While in service, on 21.2.2011, the applicant submitted a claim for reimbursement of expenditure amounting to Rs.2,53,359/- incurred for medical treatment of his wife. The respondent-

Organization paid Rs.1,73,483/- to the applicant in June 2011 as against his total claim of Rs.2,53,359/-. According to the applicant, the respondent-Organization illegally and arbitrarily disallowed Rs.79,500/-. Despite repeated approaches, and in spite of clarification issued by the ICAR headquarters in his favour, the respondent-Organization having failed to pay the balance amount of his claim, he filed the present O.A. on 6.3.2017 seeking a direction to the respondent-Organization to pay the same along with interest for the period of delay.

2. When the O.A. was taken up for hearing on 11.2.2018, Mr.Raj Kumar Bhol, proxy for Mr.B.L.Jangir, learned counsel appearing for the applicant, submitted that the balance amount of medical claim has already been paid to the applicant by the respondent-Organization. Therefore, the only remaining grievance of the applicant is with regard to non-payment of interest on the said balance amount of medical claim for the period of delay, and appropriate direction should be issued to the respondent-Organization to pay interest on the balance amount of medical claim for the period of delay.

3. I have carefully perused the materials available on record. It is seen that the competent authority of the respondent-Organization, while considering the applicant's medical claim, determined that the applicant was not entitled to the total claim of Rs.2,53,359/- as per rules and instructions issued by the Government of India, and settled the applicant's claim at Rs.1,73,483/- and disallowed Rs. Rs.79,500/-. When the applicant questioned the decision of the competent authority of the respondent-

Organization, the ICAR headquarters took a decision in favour of the applicant. Thereafter, the competent authority of the respondent-Organization sanctioned and paid the balance amount of medical claim to the applicant. Thus, it cannot be said that the competent authority or, for that matter, the respondent-Organization has willfully and deliberately withheld the payment of the balance amount of the claim raised by the applicant. In the above view of the matter, this Tribunal is not inclined to issue a direction to the respondent-Organization to pay interest on the balance amount of medical claim for any delay.

4. With the above observation, the O.A. is disposed of. No costs.

(RAJ VIR SHARMA)
JUDICIAL MEMBER

AN