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CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

No. O.A. 350/1301/2014

Date of order: 24.7.19.

Present: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Mr. N. Neihisial, Administrative Member

Shri Tarun Kumar Paul, son of Late Dilip Kumar Paul, aged about 45 years, working for gain as JTO (E), West Bengal Circle, BSNL, Office of the Superintending Engineer E, P&T Staff Quarter Complex, Qtr. No. 38 & 39 (Type - III), P.O. - Ultadanga P.S. - Maniktala, Kolkata - 700067 At present residing at C/o Monoranjan Bhattacharjee 1/1B, Barasat Road, P.O. - Sodepur, P.S. - Ghola, Dist - North 24 Parganas, Pin - 700110.

Applicant

-Versus-

1. Union of India service through the Chairman Cum Managing Director, BSNL Board Corporate Office, Bharat Sanchar Bhawan, Harish Chandra Mathur Lane, Janapath New Delhi - 110001
2. The Chief General Manager (E), BSNL West Bengal Electrical Zone, Kolkata Door Sanchar Bhawan, 8th Floor 2/5A Judges' Court Road, Alipore Kolkata - 700027.
3. The Superintending Engineer (E), BSNL P&T Staff Qtrs. Complex, Qtrs. Nos. 38 & 39 P.O. - Ultadanga, Kolkata - 700067.
4. The Chief General Manager (E), BSNL, Assam Circle, Administrative Building, Pan Bazar, Guwahati, Pin 781001.

.. Respondents

For the Applicant : Mr. J. R. Das, counsel

For the Respondents : Mr. D. Mukherjee, counsel

ORDER

Ms. Bidisha Banerjee, Member (I):

The applicant in this O. A has sought for the following reliefs:

- "i) An order directing the respondents' authority to immediately release/cause payment of due Medical Reimbursement claim as also his due TA/DA amount without any further delay.
- ii) An order directing the respondents' to dispose of the representations made as per rules applicable to BSNL and clear/cause payment of due bills including Medical reimbursement claim as also due TA/DA Bills since already submitted.
- iii) An order directing the respondents to place all relevant records before the Hon'ble Bench for conscionable justice.
- iv) Any other order or further order/orders and/or direction/directions as to this Hon'ble Tribunal seem fit and proper."

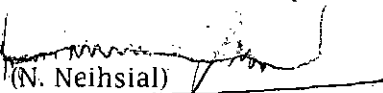
2. The respondents in their reply have categorically averred as under:


"The applicant submitted his medical reimburse bill for treatment of his wife outside the Assam Telecom Circle without prior approval of the Chief General Manager, BSNL, Assam Circle which is mandatory in nature as per provisions of the BSNL MRS, and as such, the said claim is not an admissible claim. Similarly, the applicant submitted his TA/DA bills in 2002 without countersigned by his the then controlling officer which also mandatory in nature, and as such as per BSNL TA/DA Rules, the same is not admissible for payment and accordingly rejected."

3. Since, the only stumbling block is absence of prior approval of Chief General Manager, BSNL, Assam Circle (CGM/BSNL in short), we permit the applicant to withdraw the O.A to prefer comprehensive representation to the appropriate authority i.e the CGM/BSNL Assam Circle within 4 weeks from the date of receipt of a communication of this order, to seek post facto approval, which if preferred shall be considered by the CGM and granted, if nothing stands in the way.

In the event it is granted the necessary payments shall be released in favour of the applicant within 2 months thereafter.

4. The present O.A is therefore disposed of as withdrawn with the consent of the parties with the aforesaid liberty.


(N. Neihisial)
Administrative Member


(Bidisha Banerjee)
Judicial Member