

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

Case No. – OA 750 OF 2017

PRADIP KUMAR SANYAL - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

17
22.06.2022

For the Applicant : Mr. Soumendra Narayan Ray
Advocate

For the State respondents : Mr. Sankha Ghosh
Advocate

For the Principal Accountant General : Mr. Biswanath Mitra
(A&E) West Bengal (Departmental Representative)

The matter is taken up by the single Bench pursuant to the order contained in the Notification No. 118-WBAT/1E-08/2003 (Pt.-II) dated 11th February, 2022 issued in exercise of the powers conferred under section 6 (5) of the Administrative Tribunals Act, 1985.

In this application, Pradip Kumar Sanyal, the applicant, who had superannuated on 31st January, 2012 as Upper Division Clerk under Irrigation and Waterways Department, Government of West Bengal / Director of Personnel & Ex-Officio Chief Engineer, has prayed for certain reliefs, the relevant portion of which is as under:

“(a) An order do issue thereby directing the respondent authorities to sanction immediately the pending medical bills from 23.04.2014 to 01.08.2017. Amounting to Rs. 1,11,350=00 (One lac. Eleven thousand three hundred fifty only) with admissible interest.

(b) A further order do issue directing the concerned respondent authorities to allow admissible interest on

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pending bill for making delay due to the latches and whims of the respondent no. 5 for not sanctioning the same.

(c) An order do issue directing the respondent authorities to prepare and sanction the further medical bills submitted by the applicant under WBHS'08."

It is submitted by Mr.S.N.Ray, learned advocate for the applicant that in connection with the said Original Application, in 2021 a Miscellaneous Application was filed in the Tribunal. However, on a query, he could not furnish the number of the said application filed in 2021.

Mr.S.Ghosh, learned advocate for the State respondents furnishes a copy of the said application which also does not bear the number of the said application. Let a copy of the miscellaneous application be kept on record. The statement of facts in the form of a report dated 7th March, 2019 filed by the Executive Engineer, Damodar Canal Division I&WD, Government of West Bengal, be also kept on record.

It is submitted by Mr. Ray, that though a sum of Rs. 1,11,350/- was claimed by the applicant with regard to medical bills which includes bills of 2017-2018 and 2018-2019 as evident from the report, a sum of Rs. 1,04,925/- has been sanctioned and released and no interest has been paid which is unjust and illegal. Submission is the respondents may be directed to sanction and disburse all the medical bills submitted by him.

Mr.Ghosh, submits that reimbursement of medical bills of the applicant has been made from time to time after verifying the cash memos and after

ORDER SHEET

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making necessary scrutiny. As scrutiny takes time there has been some delay and no further order may be passed. Moreover, if the applicant is still aggrieved, he may apply before the appropriate forum as the Tribunal is not the forum to scrutinize the medical bills.

Having heard the learned advocates for the parties and considering the facts and circumstances of the case, since as evident from the report for disbursement of medical bills of Rs. 1,11,517/- for the period from 2014-2017 to 2018-2019, a sum of Rs. 1,04,925/- has been disbursed under the West Bengal Health Scheme after scrutiny, no further order need be passed on the application. If the applicant is still dissatisfied, he is at liberty to apply before the appropriate forum ventilating his grievances, since Tribunal is not the forum to scrutinize bills.

(SOUMITRA PAL)
CHAIRMAN

BLR