

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.4470/2014

Sanjay Gajanan Saygaonkar

...Versus...

The Divisional Railway Manager, Central Railway, Nagpur Division, Nagpur and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.V. Sohoni, Advocate for petitioner
Shri R.G. Agrawal, Advocate for respondents

**CORAM : SMT. VASANTI A. NAIK AND
A.M. BADAR, JJ.**

DATE : 24.03.2015

By this petition, the petitioner impugns the order of the Central Administrative Tribunal dated 6.12.2012 so far as it directs the Divisional Railway Manager to consider the case of the applicant for releasing the medical reimbursement amount.

It is stated that according to Rule 648 (2) of the Indian Railway Medical Manual, all the claims above Rs.50,000/- should be referred to the Railway Board and not to the General Managers. It is stated that in the instant case the claim is more than Rs.1,00,000/- and hence, the Central Administrative Tribunal could not have directed the Divisional Railway Manager to consider the claim of the petitioner.

On hearing the learned Counsel for the parties and on a perusal of the provisions of the Indian Railway Medical Manual,

it appears that it would be for the Railway Board to consider and decide the claim of the petitioner for medical reimbursement as the claim is above Rs.1,00,000/- and all the claims above Rs.50,000/- are liable to be referred to the Railway Board.

Hence, by partly allowing the writ petition, we modify the order of the Central Administrative Tribunal dated 6.12.2012 and direct the respondent no.3 – Railway Board to consider the claim of the petitioner for medical reimbursement. The rest of the order of the Central Administrative Tribunal stands confirmed.

Order accordingly. No order as to costs.

JUDGE

JUDGE

Wadkar