

IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 6718/2016

(Pralhad Baburao Samarth, Nagpur vs. Shri Narendrakumar Yadav and others)

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

Court's or Judge's order

.....
Mr. A.K.Waghmare, Advocate for the petitioner

**CORAM : SMT. VASANTI A. NAIK &
MRS. SWAPNA JOSHI, JJ.
DATED : 30th November, 2016.**

Heard.

By this Writ Petition, the petitioner challenges the order of the Central Administrative Tribunal, dated 28.9.2016, in Contempt Petition No.211/2016.

The petitioner had filed an Original Application before the Central Administrative Tribunal that was allowed on 17.1.2014. The Tribunal directed the respondents to process the claim of the petitioner for medical reimbursement as per the rules and reimburse the amount to the petitioner along with 12 per cent interest. The Tribunal also directed the respondents to pay costs of Rs.50,000/- to the petitioner for agony suffered by him. According to the petitioner, the order was not implemented by the respondents and hence the petitioner filed Contempt Petition No.211/2016, before the Tribunal. The Tribunal has, by the impugned order dated 28.9.2016, dismissed the Contempt Petition.

On a perusal of the order passed by the Tribunal in the

Original Application on 17.1.2014 as also the impugned order dated 28.9.2016, it appears that there is no scope for interference with the order of the Tribunal in exercise of the writ jurisdiction. The Tribunal was satisfied that the order of the Tribunal dated 17.1.2014 was complied, inasmuch as the respondents had accordingly processed the case of the petitioner as per the Central Government Health Service (CGHS) Rules and paid the admissible amount to the petitioner with 12 per cent interest. The Tribunal has further found that the costs of Rs. 50,000/- were also paid by the respondents to the petitioner and it was not necessary to proceed with the contempt proceedings any longer.

We do not find any error in the order of the Tribunal so as to interfere with the same. Since the order of the Tribunal is just and proper, the Writ Petition is dismissed, with no order as to costs.

JUDGE

JUDGE

sahare