

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 2130 of 2014**

B.R. Gupta S/o Rambrichh Gupta Aged About 64 Years (Retd. Employee), R/o Village Kanti Prakashpur, Post And Tahsil Ambikapur, Police Station Ambikapur, Civil And Revenue District Surguja, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Public Health Department, Mantralaya, New Raipur, Police Station Rakhi, District Raipur, Chhattisgarh
2. The Chief Medical And Health Officer, Ambikapur, District Surguja, Chhattisgarh
3. Block Medical Officer, Public Health Centre, Bhafauli, Tahsil Ambikapur, District Surguja, Chhattisgarh

----Respondents

For Petitioner	:	Mr. Dashrath Kushwaha, Advocate
For State	:	Mr. Adhiraj Surana, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****27/04/2018**

1. The grievance of the petitioner is that the respondent authorities have not processed the traveling allowances payable to the petitioner between 2004-05 to May, 2008.
2. According to the petitioner, by virtue of the nature of job that was entrusted to him, he was required to move from one place to another and for which was entitled for traveling allowances. He had raised the bills for release of the traveling allowances, but the respondent authorities finally have released only an amount of Rs.16,701/-. However, the balance of the bills could not be processed on account of non-availability of the documents/proof of the expenses incurred. The petitioner had claimed for a total amount of Rs.1,13,702.50 of which the respondents have released only an amount of Rs.16,701/-.

3. The present is a second round of litigation. Earlier round of litigation was WPS No. 1372/2011, which stood disposed of on 14.03.2011, wherein this Court had directed the respondents to decide the claim of the petitioner on his making a representation. The said order was not complied, therefore a contempt petition was also filed vide Contempt Case No. 298/2012, which stood disposed off on 23.08.2012. Subsequently, the respondents have decided the claim of the petitioner vide order dated 06.09.2012 and it has been intimated to the petitioner that he is entitled for only an amount of Rs.16,701/-.
4. It has further been held that so far as the other claims raised by the petitioner is concerned, the same cannot be processed as there was no corresponding documents in respect of those claims raised by the petitioner, except for the entries made in the diary which was provided by the petitioner, which by itself would not be sufficient for releasing the payment to the petitioner.
5. Having considered the contentions put forth on either side and on perusal of the record what appears from the stand of the respondents is that since there was non-availability of the required documents, the T.A. bills of the petitioner could not be processed and wherever there were documents available, the same has been processed and accordingly an amount of Rs.16,701/- has been paid.
6. The State counsel at this juncture makes a submission that subject to the petitioner's providing necessary proof of the travel that he has made during the intervening period, the case of the petitioner can still be considered for grant of the said traveling allowances.

7. Given the aforesaid facts and circumstances of the case, this Court is not inclined to keep the petition pending any further. Accordingly, the present writ petition stands disposed off with a direction that subject to the petitioner's providing photocopies of the bills/proof in respect of the travel that he had made between 2004-05 to May, 2008, the case of the petitioner shall be processed and considered for releasing of the said balance of amount, at the earliest.
8. Let the petitioner submit the required receipts in respect of the same within a period of 30 days from today.
9. The writ petition accordingly stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved