

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 5671 OF 2024

Shri Ishwar Ganpat Sarade ... Petitioner

versus

The Director General,
Central Industrial Security Force & Ors. ... Respondents

Mr.Machhindra A. Patil with Mr.Vijay R. Garad and Ms.Payal
Yadav for the Petitioner.

Mr.Nikhil Mengde (through VC) with Mr.Uddyam Mukharjee and
Mr.Rahul Shirgavkar for Respondent No.2.

Mr.Dashrath Dube with Mr.Rupesh Dube for Respondent No.3.

**CORAM : RAVINDRA V. GHUGE &
ASHWIN D. BHOBE, JJ.**

DATE : 11th February, 2025

P.C. :-

1. The issue of interest is contested by the Respondents primarily on the ground that the hospital in which the father of the Petitioner was treated, was a voluntary act by the Petitioner and the said hospital was not an approved hospital as per the list of approved hospitals maintained by the Ministry of Home Affairs/ Gruha Mantralaya, Central Industrial Security Force.

2. It is contended that Respondent no.2 would have justified the refusal to reimburse the medial bills of the Petitioner's father. However, as a goodwill gesture and since this Court had intervened in the earlier round of litigation in Writ Petition No. 4759 of 2021, that, the payment was made. On the point of interest claimed by the Petitioner, it is prayed that the Petition be dismissed.

3. To give a '*quietus*' to this litigation between the Petitioner and Respondent No.2 Central Coalfields Limited, we suggested that the rate of interest could be calculated at the rate of Rs.6% per annum. If it is concluded that Respondent No.2 was at fault in not clearing the reimbursement claim of the Petitioner, only then the interest of around Rs. 2,02,000/- would be paid. Hence, we called upon the Petitioner and Respondent no.2 to state as to whether 50% of the said amount (Rs. 1,01,000/-) is acceptable to the Petitioner. The learned Advocate for the Petitioner submits that if the Petitioner is agreeable, an affidavit to this extent in Marathi language, will be tendered to the Court.

4. The learned Advocate addressing us on behalf of Respondent No.2, through the video conferencing mode, submits

that he needs to take instructions since this is an institution.

5. By the consent of the parties, we are listing this Petition under the caption “For Disposal” on **25th February, 2025**

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)