

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH

NEW DELHI

OA No.2162/1997

New Delhi this the 1st June, 1998

Hon'ble Smt.Lakshmi Swaminathan, Member (J)  
Hon'ble Shri K.Muthukumar, Member (A)

Sh.Jai Singh Pal,  
S/O Sh.Rebti Ram  
R/O F-64C/5/107, Sector 40,  
Noida.

..Applicant  
(By Advocate Ms.Rani Chhabra, learned counsel  
through proxy counsel Sh.R.K.Shukla)

Vs

- 1.Union of India through  
its Secretary,  
Ministry of Telecommunication,  
Sanchar Bhawan, New Delhi.
- 2.Chief General Manager,  
Telecom.West, Dehradun.
- 3.General Manager,  
Telecom.Ghaziabad.
- 4.Divisional Engineer(Phone),  
Noida.
- 5.Area Manager,  
Telecom.Noida
- 6.Assistant Engineer(Cable)  
Noida.
- 7.Sub Divisional Officer,  
Noida.
- 8.Accounts Officer,  
Noida.

(By Advocate Sh.K.R. Sachdeva)

..Respondents

O R D E R (ORAL)

Hon'ble Smt.Lakshmi Swaminathan, Member (J)

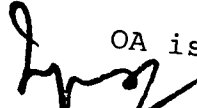
Proxy counsel submits the request of Mrs Chhabra  
that  
learned counsel/some more time may be granted to her to file  
rejoinder. We note that reply has been filed by the respondents  
on 31.3.1998 and sufficient time has already been granted  
to the applicant to file rejoinder which opportunity he  
has not availed of.

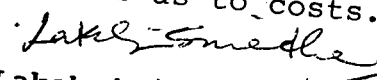
2. Shri K.R.Sachdeva, learned counsel has drawn our  
attention to the reply of the respondents in which they  
have, inter alia, stated that the applicant has not collected/

received salary and allowances as payable to him under the rules for the period from 24.11.95 to 15.3.1996. They have also submitted that the applicant has been issued leather shoes, uniform, leather chapples etc. in accordance with the rules as they are issued to other similarly situated persons and he should have no grievance on this score. We also note from the orders passed by the respondents (copies placed at Ann.R.1 and R.II) regarding payment of pay and allowances and arrears for the relevant period, that <sup>it</sup> is stated to be lying undisbursed as the applicant has failed to collect the same.

3. From the above facts it is seen that the main reliefs claimed by the applicant, namely, grant of arrears of wages for the period from 24.11.95 to 15.3.1996 as well as other claims like uniform, towel, shoes etc. have been dealt with by the respondents in favour of the applicant. It is for the applicant to collect the amount and items due to him from the concerned officer during office hours. As regards the overtime allowances, the respondents have stated that the applicant is not entitled to claim overtime allowance if he has not been asked to perform that duty. From the records we are unable to come to the conclusion that the rejection of the overtime allowance by the respondents is unjustified or illegal and calls for any interference in the matter.

4. In the facts and circumstances of the case, we dispose of this application with the observations that it is open to the applicant to approach the concerned officers of the respondents to collect the due amount and items as mentioned above. The other claims are rejected.

  
(K. Muthukumar)  
Member(A)

  
(Smt. Lakshmi Swaminathan)  
Member(J)