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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.135/2000

New Delhi this the 4th day of September, 2001.

HON'BLE MR. SHANKER RAJU, MEMBER (JUDICIAL)

K.S. Tyagi,
S/o Sh. Ranjit Singh,
presently working as
Station Superintendent,
Sambhawali, Northern Railway,
Moradabad Division.

-Applicant

(By Advocate Shri S.K. Gupta)

-Versus-

1. Union of India through
the General Manager,
Northern Railway,
Baroda House,
New Delhi.
2. Divisional Railway manager,
Northern Railway,
Moradabad Division,
Moradabad.
3. Sr. D.P.O.,
Northern Railway,
Moradabad Division,
Moradabad.

-Respondents

(By Advocate Shri D.S. Jagotra)

O R D E R (ORAL)

By Mr. Shanker Raju, Member (J):

Heard the learned counsel of both the parties.

2. The grievance of the applicant in the present OA is regarding non-payment of his due overtime allowance (for short, OTA) for the period September, 1994 to March, 1999. The applicant contends that despite having worked for the requisite period he has not been accorded the payment as per the rules. It is also stated that despite production of the relevant record, which, inter alia, confirms his rendering over time beyond the prescribed limit of 102 hours, the respondents have not taken into consideration his representation and have only paid a part amount and not the one which is due to the applicant. The

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applicant has also claimed interest on the payment.

3. On the other hand the respondents have been directed to produce the record and on its perusal it appears that there exists some discrepancy in the matter of payment of OTA to the applicant. It is fairly submitted by the learned counsel for the respondents that the applicant is also having the official record with him duly certified by the appropriate authority, whereby he has been found to have worked on over time, as per the record maintained and if the applicant produces this document along with all other relevant documents to the respondents his claim would be considered and he may be paid the arrears or difference, which will be calculated by the respondents.

4. In this view of the matter and having regard to the circumstances of the case the present OA is disposed of with a direction to the applicant to make a detailed representation to the respondents, enclosing all the relevant documents which, inter alia, prove his rightful claim of OTA, within two weeks and the respondents are, thereafter directed to consider the same, more particularly the official record annexed with this OA, which makes the applicant entitled for accord of OTA as per the hours shown in the record. In this process the respondents shall accord a personal hearing to the applicant and thereafter pass a detailed and speaking order, calculating the amount and to disburse the same to the applicant, within four weeks from the date of receipt of representation of the applicant.

5. The OA stands disposed of accordingly. No costs.

S. Raju
(Shanker Raju)
Member (J)

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