

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW DELHI

RA No. 183/90 in

O.A. No. 1404/88

T.A. No.

199

DATE OF DECISION 17-12-90

Shri S.K. Kohli & Others

Petitioner

Advocate for the Petitioner(s)

Versus

U.O.I. & Others

Respondent

Advocate for the Respondent(s)

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The Hon'ble Mr. P.K. KARTHA, VICE CHAIRMAN(J)

The Hon'ble Mr. P.C. JAIN, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
2. To be referred to the Reporter or not? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement? *No*
4. Whether it needs to be circulated to other Benches of the Tribunal? *No*

JUDGMENT

(of the Bench delivered by Hon'ble Mr. P.K. Kartha,
Vice Chairman(J))

The petitioners are the original applicants in OA 1404/88 which was disposed of by judgment dated 26.10.1990. In OA 1404/88, they had prayed for the following reliefs:-

- (i) to direct the respondents to withdraw the orders dated 18.5.1980 under which the applicants are being subject^{ed} to call duty during their off hours;
- (ii) to direct them to start the shift duty and depute X-Ray Technicians for night duty also as is being done in other hospitals instead of forcing the applicants to attend to emergent cases during the off hours;

(iii) till such time shift duty is arranged by them, to direct them to pay full overtime allowance for the entire time of 17 hours during which the applicants are required to be on duty at their residence in order to attend to emergent cases;

(iv) to quash the order dated 14/13-3-1988 under which they are going to introduce eight hours duty roster for the applicants; and

(v) to direct them to pay arrears of overtime allowance to the applicants for the period for which they have been put to call duty in order to attend the emergent cases.

2. After hearing the learned counsel of both parties and going through the records of the case carefully, the Tribunal came to the conclusion that it would not be appropriate to hold that the X-Ray Technicians are actually on duty during the call hours. However, the Tribunal held that the petitioners and other Technicians similarly situated deserve to be suitably compensated for the hours during which they are actually asked to put in extra hours of work in the Hospital during the call duty/off duty hours. The respondents were directed to give to them overtime allowance on the above basis for the period from 14.3.1988.

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3. The petitioner has not brought out any fresh facts warranting a review of our judgment. We also do not see any error apparent on the face of the judgment. Accordingly, there is no merit in the present review petition and the same is rejected.

Exec
(P.C. JAIN)
MEMBER (A)

17/12/90

Quint
(P.K. KARTHA)
VICE CHAIRMAN (J)

17/12/90