

(15)

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 20TH DAY OF FEBRUARY, 2002

Original Application No.1287 of 1997

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MAJ.GEN.K.K.SRIVASTAVATA, MEMBER(A)

1. P.D.Pal, son of Sri Changhai Ram Pal
2. Lal Singh, son of Sri Ajab Singh
Both Chaukidar in the office of Assistant Director D.C.(H) 1-A/3-A Ram Priya Road, Allahabad.
3. Deena Nath working as A.T.C. Saifabad, Pratapgarh.
4. Ram prasad, son of Sri Tej Bahadur working as Chaukidar in C.W.T.C Pandila Allahabad.
5. Mahendra Prasad, son of Babu ram working as Chaukidar in C.W.T.C Chappach Khera, Rai Bareilly.
6. Sheo Prasad Pandey working as Chaukidar in C.W.T.Sarvoday Nagar, Rae Bareilly.
7. Alagu ram son of Dhani Ram Chaukidar, C.W.T.C Hata Allahabad.
8. Ram Chandra Shukla, Son of Shri Jagdish prasad Shukla, working as Chaukidar, A.T.C. Raniganj Ajgara, Pratapgarh.

... Applicants

(By Adv: Shri B.P.Yadav)

Versus

1. Union of India through its Secretary, Ministry of Textile, New Delhi.
2. Development Commissioner(Handicrafts) Ministry of Textile, West Block No.7 B.K.Puram, new Delhi.
3. Deputy Director, Field Administrative Cell, Office of the Development Commissioner, B-46, Mahanagar Vistar(J.Park) Lucknow.
4. Assistant Director D.C.(H) 1-A/3-A Ram Priya Road, Allahabad.

... Respondents

(By Adv: shri Amit Sthalekar)

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O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI, V.C.

By this application u/s 19 of A.T.Act 1985 applicant has prayed for a direction to the respondents to pay overtime for which they are entitled from the date when they started to work for more than required number of hours and in the interest of ~~of natural~~ justice to quash the order dated 20.1.1992. The learned counsel for the applicant has submitted that this Tribunal vide order dated 1.12.2000 decided similar controversy in OAs No.558/92, 174/92 and gave the following relief.

"For the reasons stated above, this application is allowed. The impugned order dated 20.1.1992 is quashed. The respondent no.2 is directed to pay overtime allowances as per rules from 23.3.1987 to 31.12.1990. The order will be complied with, within six months from the date of supply of the copy of this order. There shall be no order as to costs."

It is also submitted that against the aforesaid order two writ petition nos 23980 & 23960 of 2001 were filed before Hon'ble High

Court which have been dismissed vide order dated 31.1.2002. The order has become final.

Shri Amit Sthalekar, learned counsel for the respondents has not disputed the aforesaid facts ~~stated~~. In the circumstances, the applicants are also entitled for the same relief.

The OA is accordingly allowed on the same terms and conditions as provided in order dated 1.12.2000 and quoted above. There will be no order as to costs.


MEMBER(A)


VICE CHAIRMAN

Dated: 20th feb: 2002

Uv/