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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH: ALLAHABAD.

M.A.NO.2266/05
IN

ORIGINAL APPLICATION NO.812 OF 2005

ALLAHABAD, THIS THE 27th DAY OF JULY, 2005

QUORUM : HON. MRS. MEERA CHHIBBER, J.M.

1. Arun Kumar, Son of Late Jai Murti, Assistant Station Master, Majhiyari (N.C.R.), Jhansi.
2. H.C. Sharma, son of Shri Moti Lal Sharma, Assistant Station Master, Majhiyari (N.C.R.), Jhansi.
3. N.K. Katiyar, son of Shanker Lal Katiyar, Assistant Station Master, Majhiyari (N.C.R.), Jhansi.

.....Applicants.

Counsel for applicants : Shri S.S. Maurya.

Versus

1. The Union of India through Secretary, Ministry of Railway, New Delhi.
2. The Divisional Railway Manager, North Central Railway, Jhansi Division, Jhansi.
3. Divisional Railway Manager, O.T. Section, Jhansi.

.....Respondents.

Counsel for Respondents : Sri A.K. Gaur.

ORDER (Oral)

HON'BLE MRS. MEERA CHHIBBER, J.M.

By this O.A., applicants have sought the following reliefs :-

- "i) to issue a mandamus directing ~~to~~ the respondents to pay ~~the~~ Over Time Allowance of the applicants due for the month of



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September-03 to December-03, January-04 to June-04 and January-05 to June-05 for the O.T. duty and payment of allowance of night duty of Applicant Nos.1 and 3 for the month of June, 2003 and July, 2003 and March, 2004 and April, 2004 may also may be paid.

- ii) To issue a order or direction to the Respondent No.3 to decide the representation dated 20.06.2005 given by applicants to the Respondent No.3 possibly within one month."

2. Grievance of the applicants are that they were Assistant Station Masters at Majhiyari (N.C.R.), Jhansi and are entitled to get Over Time Allowance for the month of September-03 to December-03, January-04 to June-04 and January-05 to June-05. They have further stated that Applicant No.1 and 3 are also entitled for payment of allowance of night duty for the month of June and July, 2003 and March and April, 2004 but even though they have submitted their vouchers through proper channel, till date they have neither been given any Over Time Allowance or night duty allowance nor their representation dated 20.6.2005 has been decided till date. Therefore, they had no other option but to file the present O.A.

3. I have heard Counsel for the applicant. Since their grievance relate to OTA and night duty allowances, which will have to be paid after verifying the records to see whether they are entitled to the same or not, I think that this O.A. can be disposed of at the admission stage itself without going into the merits of the case by directing Respondent No.3 to consider and decide the applicants' representation by a reasoned and speaking order within a period of three months from the date of receipt of a copy of this order under intimation to the applicant.

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4. Ordered accordingly. It is further made clear that in case applicants are found entitled for the allowances, as prayed by them, the same shall be paid to them within the above said period otherwise they should be informed by a reasoned order why the same is not payable to them.

5. With the above direction, this O.A. stands disposed of.

No order as to costs.

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श्रीमान्
J.M.

Asthana/