

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO. .1205... of 2002  
( In Diary No.3902 of 2002)

FRIDAY, THIS THE 27TH DAY OF SEPTEMBER, 2002

HON'BLE MR. A. K. BHATNAGAR, MEMBER-J

1. Lalta Prasad S/o Vishwanath.
2. Neehut S/o Jai Ram.
3. Dal Bahadur S/o P. Singh.
4. Gaya Prasad S/o Shri Bhaggan.
5. Ram Karan Singh S/o Shri Shiv Raj Singh.
6. Paras Nath Singh S/o Shri Shiv Shankar.
7. Tulsi Ram S/o Shri Shiv Pal.

All the Chaukidars are working under the office of the Assistant Director Carpet Weaving Cum Service Centre Bareilly.

8. Rabi Nath Tiwari S/o Shambhu Nath Tiwari  
Chaukidar R.C.S. Lakhrajpur, District Allahabad.

..... Applicants

(By Advocate Sri N.L. Srivastava)

Versus

1. Union of India through the Secretary  
Ministry of Textile,  
New Delhi.
2. Development Commissioner (Handicrafts)  
Ministry of Textile West Block No. 7,  
R.K. Puram, New Delhi.
3. Director, Centre region office of the  
Development Commissioner (Handicrafts)  
B-46 Mahanagar Extension Lucknow.
4. Assistant Director Carpet Weaving-Cum-Service  
Centre Bareilly Office of the Development  
Commissioner (Handicrafts)
5. Assistant Director Carpet Weaving-Cum-Service  
Centre Allahabad. .... Respondents

(By Advocate Sri R.C. Joshi)

ORDER

HON'BLE MR. A. K. BHATNAGAR, MEMBER-J

This application has been filed under section 19 of Administrative Tribunals Act with a prayer to give a direction to respondent no.2 to give the benefits of the

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Judgement dated 01.12.2000 passed on O.A. No.558/1992 and the judgement dated 31.01.2002 passed by the Hon'ble High Court of Judicature at Allahabad in Civil Misc. Writ petition No. 23980/01 respectively, and to pay the over time allowance to the applicants as directed by the Tribunal in the aforesaid Judgement.

2. The brief facts giving rise to this application are that as per the applicants are working as Chowkidars in the Development Commissioner (Handicrafts), Ministry of Textile, and are performing the duties from 4.30 P.M. to 9.30 A.M. next day since the date of their appointment. Thus, doing job '17' hours in a day which is beyond the required numbers of hours prescribed under rules. It is also alleged that the applicants were not being paid the over time allowance <sup>as</sup> for which they are entitled to. Hence, this O.A.

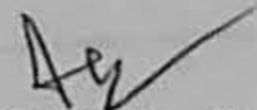
3. I have heard both the counsel for the parties.

4. The counsel have got no objection if the representation of the applicants is directed to be decided by the respondent no.2 within a specified period, in the light of judgement referred to as Annexure-1 and 2 of this O.A. Without going into the merits of the case, it will be appropriate to give a direction to Development Commissioner (Handicrafts), 7 R.K. Puram, New Delhi to decide the representations of the applicants within a specified period.

5. The O.A. is accordingly disposed of with a direction to respondent no.2 to decide the representation dated 11.02.2002, and pass a reasoned and speaking order within a period of three months from the date of receipt of a copy of this order. The applicants are at liberty to file a fresh representation if they desire so.

6. No order as to costs.

/Neelam/

  
Member-J