

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH : ALLAHABAD

CONTEMPT APPLICATION NO. 14 OF 2002 in O.A 513/93

WEDNESDAY, THIS THE 18TH DAY OF DECEMBER, 2002

HON. MR. S. DAYAL, MEMBER(A)

HON. MR. A.K. BHATNAGAR, MEMBER(J)

U.C. Shukla
s/o Sri Madho Ram Shukla,
r/o Gita Watika,
Gorakhpur,
working as A.C.C.I, under chief
Electrical Engineer,
N.E. Railway
Gorakhpur.

-.....Applicant.

Counsel for the applicant :- Sh. B. Tewari

Versus

1. V.K. Dutta
Divisional Railway Manager,
N.E. Railway,
Lucknow.

----Respondent.

Counsel for the respondent:- Sh. K.P. Singh

O R D E R

HON. MR. S. DAYAL, MEMBER(A)

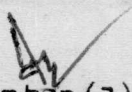
This contempt petition has been filed for wilful dis-obedience of directions given in the O.A to the respondents to verify the claim of the applicant for payment of admissible overtime allowance and make payment.

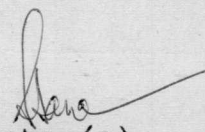
2. The respondent has filed their counter affidavit in which he has mentioned that the applicant did not submit his claim. To support his contention he has filed an office letter dated 31-12-2001 as annexed as annexure A-I. The applicant has stated that he submitted a claim from March 1982 to 1999 on 30-1-2002

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showing his duty continuously for more than 17 years irrespective weekly rest, holidays and sanctioned leave without any break. The applicant was asked vide letter dated 1-2-2002 to submit complete particulars of his claim in prescribed OT form. The respondent traced out the old available OT sheets from 22-2-1996 to 1999 and the difference of OT allowance on the basis of excess over 96 hours of works was calculated and difference of Rs. 17,732/- was paid to the applicant on 22-4-2002. It is mentioned by the respondents that the life of ^{record pertaining to} local, compensatory, mileage, nights, officiating, over time was three years and G.M (P) Gorakhpur had a letter dated sent/on 5-9-2000 to all Senior D.P.O and personnel ^{of} ^{and lower formations} Officers ^{at} Headquarters to destroy the documents as per Railway Board letter dated 17-10-1988. We have perused annexures 8 and 9 and we find that the document relating to allowances as well as attendance register were to be maintained for three years and thereafter to be destroyed.

3. In view of the circumstances mentioned above we find the verifiable claim of the applicant has been settled. There is thus no case of wilful dis-obedience of the orders of the Tribunal has been made out. The contempt is, therefore, dismissed and notice issued is discharged.


Member (J)


Member (A)

Madhu/