

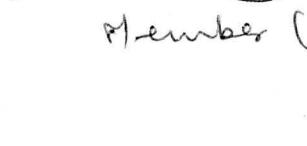
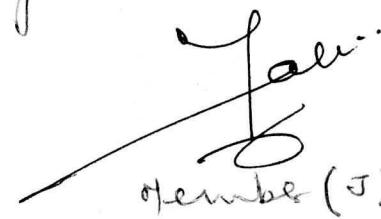
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(A)

OA-870/95



Serial No. of Order	Date of Order	Order with Signature	
07.	26/03/02	<p>As per request made on behalf of Ms. S.L. Patnaik, learned ASC who is on accommodation, matter is adjourned to 10.04.02.</p> <p> Member (J).</p>	<p>For hearing Patnaik Bench 5/3</p> <p> Member (J).</p>
08	10/04/02	<p>At the instance of learned Counsel for the petitioner matter is adjourned to 17.04.02.</p> <p> Member (J).</p>	<p>For hearing Patnaik Bench 9/4</p>
09	17/04/2002	<p>This case relates to non-payment of Overtime Allowances to the Applicant.</p> <p>(2) In the counter, the Respondents have disclosed about the period for which Overtime Allowances have been paid to the Applicant.</p> <p>(3) Under Annexure-3 (at page 12) of the Original Application, details of the period, for which Overtime Allowances have been claimed by the Applicant, has been given.</p> <p> Member (J).</p>	<p>For hearing Patnaik Bench 16/4</p>

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

(4) It is the case of the Applicant that he has at all not been paid Overtime Allowances for the following periods:—

21.04.1991 to 04.05.1991
 05.05.1991 to 18.05.1991
 12.01.1992 to 25.01.1992
 26.01.1992 to 08.02.1992
 09.02.1992 to 22.02.1992
 23.02.1992 to 07.03.1992
 08.03.1992 to 21.03.1992
 22.03.1992 to 04.04.1992
 05.04.1992 to 18.04.1992
 19.04.1992 to 02.05.1992
 01.11.1992 to 14.11.1992
 15.11.1992 to 28.11.1992
 29.11.1992 to 12.12.1992
 13.12.1992 to 26.12.1992
 27.12.1992 to 09.01.1993
 25.07.1993 to 07.08.1993

(5) It is now not in dispute that Applicant has been paid less amount as Overtime Allowances for the period from 03.06.90 to 16.6.1990, 13.01.1991 to 26.01.1991, 10.02.1991 to 23.02.1991 24.02.1991 to 09.03.1991 and 07.04.1991 to 20.04.1991. The Respondents are hereby directed to clear-up the differential amount within three months.

(6) It has been stated in the counter filed by the Respondents that in absence of material particulars available to show that the Applicant discharged Overtime duties for the periods aforesaid under para-4, payments have not been made to the Applicant.

(7) In the Rejoinder, the Applicant has placed on record (under Annexure-5) a certificate from the competent authority to show that the Applicant discharged Overtime duties for the period elaborated in para-4 above.

(8) In the aforesaid premises, this Original Application is allowed with direction to the Respondents to verify the document under Annexure-5 to the Rejoinder and, upon being



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O.A. 570/1995

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

copy of the
order dt 17.4.02
with copy of
the rejoinder sent
to all respondents by
post/AD. Same
copy of the
order given to
the both counsel

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being satisfied, make payment of arrear Overtime dues (to the Applicant) within a period of one month from the date of receipt of a copy of this order. No costs.

(9) Abovesaid direction for making payment of Overtime dues for past period has been issued; because the certificate under Annexure-5 to the Rejoinder has not been disputed by the Respondents by way of filing any reply.

(10) Send copies of this order (along with copies of the Rejoinder with Annexures) to the Respondents at the cost of the Applicant. The Advocate for the Applicant Mr. Dhal Samant undertakes to file required postages and extra copies of the Rejoinder with Annexures in the Registry within three days. Free copies of this order should also be handed over to the Advocate for the Applicant ~~and the Advocate for the Railways~~ and Ms. S.L.Pattnaik, Advocate for the Railways.

Yashpal
17/04/2002
MEMBER (JUDICIAL)