

O.A. No. 16 of 2006

Order dated: 20.01.2009

CORAM:

Hon'ble Mr. Justice K. Thankappan, Member(J)

Hon'ble Mr. C.R. Mohapatra, Member (A)

We have heard Mr. D.R. Bhokta, Ld. Counsel for the applicant and Mr. R.C. Rath, Ld. Counsel for the Respondents.

2. Though the applicant had prayed multiple reliefs and the Registry has already pointed out the same defect, however, today the Ld Counsel for the applicant submits that he is confined to only first prayer, i.e. 8(a) of the relief sought column, for overtime allowance. All other prayers stand deleted.

3. The short question involved in this O.A. is that the applicant claims overtime allowance from 1998 to 2004. It is averred in the counter that the applicant had not filed any voucher to the authorities for giving him overtime allowance and that apart, the applicant had not filed any representation to the authorities for overtime allowance in time and, therefore, the claim is belated one.

4. After having gone through the averments, the documents produced before us, the representation of the applicant and the counter affidavit, we are of the view that entire matter relating to overtime allowance of the applicant shall be considered by the Divisional Railway Manager, Waltair Division, Visakhapatnam, Respondent No.2. However, the applicant has to file a representation to that effect with all documents before the concerned officer of the



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Railways within one month from today. If such a representation is received with documents showing his overtime, the same shall be considered and appropriate order shall be passed by the 2nd Respondent as per rules within 60 days from the date of receipt of such representation.

5. The O.A. is disposed of accordingly.

6. It is also made clear that the applicant had shown Respondent Nos.3 and 4 as necessary party but they are not the necessary parties. The name of these Respondents shall stand deleted from the party array.

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MEMBER (A)

L Kappan
MEMBER (J)

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