

1/6

CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR

O.A. No. 238/2012

Jodhpur this the 15th day of July, 2013.

CORAM

**Hon'ble Mr. Justice Kailash Chandra Joshi, Member (J) and
Hon'ble Ms. Meenakshi Hooja, Member (A)**

1. Jitender Sharma S/o Sh. Genda Lal, aged about 39 years, R/o 3 V 51, Kudi Bhaktasni Housing Board, Jodhpur, presently working on the post of AC Fitter III in AC Coaching Depot Jodhpur.
2. Ram Swaroop S/o Sh. Gangolia Ram Aged about 50 years, R/o House No 121/4 K.K. Colony, 1st phase Basni Jodhpur, presently working on the post of AC Fitter in AC Coaching Depot, Jodhpur.
3. Jaisa Ram S/o Sh. Harji Ram, aged about 34 years, R/o 283 Janta colony, Kudi Bhaktasni Housing Board, Jodhpur, presently working on the post of AC Khalasi in AC Coaching Depot, Jodhpur.
4. Iqbal Ahmed S/o Sh. Salamu aged about 44 years R/o C/o Sh. Dharam Das House No. 478 Janta Colony, Basni, presently working on the post of AC Coach Attendent in AC Coaching Depot Jodhpur.
5. Prakash Singh S/o Sh. Bhanwar Singh aged about 47 years, R/o Plot No. 47, Sector 4F, New Power House Road, Jodhpur, presently working on the post of AC Khalasi in AC Coaching Depot, Jodhpur.

.....Applicants

(Through Advocate Mr S.K. Malik)

Versus

1. Union of India – through General Manager North Western Railway, Jaipur.
2. Divisional Railway Manager, North Western Railway, Jodhpur.
3. Senior Divisional Personnel Officer, North Western Railway, Jodhpur.
4. Senior Divisional Electrical Engineer, North Western Railway, Jodhpur.

(Through Advocate Mr R.K. Soni)

..... Respondents

2

ORDER (Oral)

Per Justice Kailash Chandra Joshi, Member (J)

The applicants by way of this application have sought following relief(s) :

- (i) By an appropriate writ order or direction the respondents may be directed to make payment of overtime allowance due to applicants with effect from 04.07.2010 to till date along with interest @ 12% per annum.
- (ii) By an order or direction applicants be allowed to file joint application as the subject matter and relief prayed is identical.
- (iii) By an order or direction exemplary cost be imposed on respondents for causing undue harassment to the applicants.
- (iv) Any other relief which is found just and proper be passed in favour of the applicants in the interest of justice by the Hon'ble Tribunal.

2. The main case of the applicants is that the applicants had worked for overtime on certain days but the respondent-department refused to make the payment of overtime allowance as per the work done by the applicants.

3. The applicants in support of their application annexed 10 documents as Annexs. 1 to 10.

4. In reply the OA, the respondent-department has averred that as per schedule Annex. R/1, the applicants have been paid the due overtime allowance and now nothing remains due.

5. Counsel for the applicant submits that there is some variation in the overtime allowance paid and overtime allowance

due as per their calculation, therefore, they may be allowed to file a detailed representation in this respect to the respondent-department.

6. Counsel for the respondents has no objection to the submission made by counsel for the applicants.

7. Accordingly, the OA is disposed off with the directions that the applicants may file representation to the competent authority in respondent-department regarding overtime due as per their calculation vis a vis overtime allowance paid to them within 2 weeks from the date of receipt of this order. Thereafter, respondent-department shall dispose off the representation of the applicants within 3 months from the date of receipt of the representations.

8. After disposal of the representation of the applicants by respondent-department, if any grievance remain with the applicants, they may file fresh OA if so desired. No order as to costs.


(MEENAKSHI HOOJA)
ADMINISTRATIVE MEMBER


(JUSTICE K.C. JOSHI)
JUDICIAL MEMBER