

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A. No.660 of 1997

Present: Hon'ble Dr. B.C. Sarma, Administrative Member

Hon'ble Mr. D. Purakayastha, Judicial Member

1. Shri Narayan Malakar, s/o Bipin Malakar working as Gate-keeper under PWI, Tamluk in the S.E. Railway and r/a Vill. Basantabarh P.O. Dhuliapur, P.O. Panskura, Dt. Midnapore
2. Shri Ganesh Chandra Das, s/o Parbati Das working as Gate-keeper under PWI, Tamluk in the S.E. Railway,
3. Shri Chittaranjan, s/o Tarak working as Gate-keeper under PWI, Tamluk in the S.E. Rly.
4. Shri Badal Singh, s/o Jatindra Singh Working as Gate-keeper under PWI, Tamluk in the S.E. Railway

... Applicants

VS

1. Union of India service through the General Manager, S.E. Railway, Garden Reach, Calcutta
2. Sr. Divisional Personnel Officer, South Eastern Railway, Kharagpur
3. Assistant Engineer (East), South Eastern Railway, Kharagpur

... Respondents

For the Applicants: Mr. R.K. De, counsel

For the Respondents: Mrs. B. Ray, counsel

Heard on 24.3.1998

: :

Date of Order: 24.3.1998

O R D E R

B.C. Sarma, AM

The dispute raised in this petition is about the grant of overtime allowance to the applicants from 1978 to 1992. The applicants contend that the overtime allowance bill was prepared on the basis of the overtime record and the applicants were entitled to receive the individual amounts to the tune of Rs.35,147/- in the case of applicant No.1, Rs.27,657/- in the case of applicant No.2, Rs.22,897/- in the case of applicant No.3 and Rs.4,195/- in the case of applicant No.4. However, the bills were returned with objection to the Sr. Divisional Personnel Officer. The Sr.D.P.O. took up the matter with the Permanent Way Inspector, Tamluk. The Divisional Personnel Officer in the office of the respondent No.2 vide his letter

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dated 13.8.96 has brought to the notice of the PWI, Tamluk the impasse created by the Divisional Accounts Officer in passing the overtime bills (Annexure/A5 to the application). The applicant is aggrieved by the fact that the respondents have not cleared the overtime bills and hence the petition.

2. Mrs. Ray, learned counsel appears for the respondents. She, however, submits that she has no instruction in the matter.

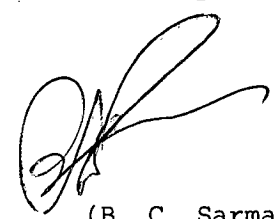
3. During the admission hearing Mrs. Ray submits that a direction may be issued on the General Manager, S.E. Railway to consider the cases of the applicants instead of waiting for filing of the reply by the respondents. Mrs. ~~De~~ does not have any objection to that.

4. In view of the above position the application is disposed of at the stage of admission hearing itself with the direction that the respondents shall treat this application as a fresh representation and shall dispose it of within a period of three months from the date of communication of this order, <sup>as per rules</sup> If as a result of such consideration the applicants are <sup>found</sup> entitled to get the overtime allowance such payment shall be made to them within a period of further time of one month from the date of taking such decision. No order is passed as regards costs.

  
(D. Purkayastha)

MEMBER (J)

24.3.1998

  
(B. C. Sarma)

MEMBER (A)

24.3.1998