

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

OA 257 of 1997

Present : Hon'ble Mr. S.K. Hajra, Administrative Member
Hon'ble Mr. K.V. Sachidananda, Judicial Member

M. Bhattacharyya & Anr.

- VS -

S.E. Railway

For the Applicants : Mr. J.R. Ghosh, Counsel
Mr. T.K. Biswas, Counsel

For the Respondents: Mr. S. Chowdhury, Counsel

Date of Order : 27-07-2004

O R D E R

MR. K.V. SACHIDANANDA, JM

Being aggrieved the applicants have filed this application against non-payment of running allowance, night duty allowance, overtime allowances and other allowances while they worked as Assistant Drivers during training period. According to the applicants and the averments made in the O.A., they are entitled to such benefits. They sought the following reliefs :-

- a) Direction upon the respondents each of them, their officers, subordinates to pay to the applicants their arrear pay and allowances and the production linked bonus during the period from February, 1993 to October, 1996.
- b) Direction upon the respondents each of them, their officers and subordinates to pay to the applicants their production linked bonus arrears.
- c) Direction upon the respondents each of them, their officers, subordinates to pay to the applicants the

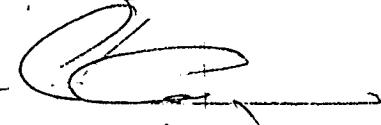
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interest for the delayed payment of pay and allowances and production linked bonus.

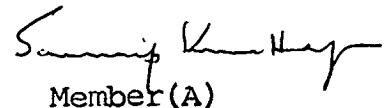
2. Ld. Counsel for the respondents filed detailed reply statement contending that as per required rule calculation of arrear pay was made and payment was released in favour of them, but they did not accept the same. The applicants also filed rejoinder. Reply to rejoinder has also been filed by the respondents.

3. Heard Mr. Ghosh, Ld. Counsel for the applicants and Mr. Chowdhury, Ld. Counsel for the respondents. When the matter came for hearing, the Ld. Counsel for the applicants submits that the applicants made a detailed appeal before the General Manager, South Eastern Railway dated 13-12-1996 which has not yet been replied to. Ld. Counsel for the applicants submits that his clients would be satisfied if a direction is issued to the respondents to consider and dispose of the appeal as per rules.

4. Considering the submission made by the Ld. Counsel for the applicants, we are of the view that it would be appropriate if a direction is issued to the respondents to dispose of the appeal pending before them which will suffice to meet the ends of justice. Therefore, we direct the respondent Nos. 4 & 5 or other competent authority to consider the appeal (Annexure-D) in accordance with rule and dispose of the same within a time frame of three months from the date of receipt of a copy of this order. It is also made clear that when such order is passed, a detailed calculation statement may be furnished to the applicants as to the eligibility of the amount. With the above observation the O.A. is disposed of. No order is passed as to costs.



Member (J)



Member (A)