

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH**

Original Application No.523/2006
This the 08th day of January 2008

HON'BLE MR. M. KANTHAIAH, MEMBER JUDICIAL.

1. Hasmat Ali, aged about 46 years, S/o Late Shri Md. Safi, resident of -T/19-A, Railway Colony, N.E. Railway, Lakhimpur.
2. Chhotey Lal, aged about 47 years, S/o Late Shri Dudhai, resident of -T/19-B, Railway Colony, N.E. Railway, Lakhimpur.
3. Ramanand, aged about 46 years, S/o Shri Bahadur Lal, resident of -T/21-A, Railway Colony, N.E. Railway, Lakhimpur.
4. Ramanand Jha, aged about 56 years, S/o Late Shri Jagtanand Jha, resident of - T/123-A, Railway Colony, N.E. Railway, Lakhimpur.

...Applicant.

By Advocate: Shri Praveen Kumar.

Versus.

Union of India, through

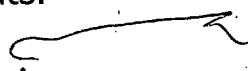
1. The General Manager, North Eastern Railway, Gorakhpur.
2. The Divisional Railway Manager, North Eastern Railway, Lucknow.
3. The Senior Divisional Operating Manager, North Eastern Railway, Lucknow.

By Advocate: Shri Arvind Kumar.

ORDER (Oral)

BY HON'BLE MR. M. KANTHAIAH, MEMBER JUDICIAL.

Heard Shri Praveen Kumar, the learned counsel for the applicants and Shri Arvind Kumar, the learned counsel for respondents.




2. The applicants have filed this O.A. to issue direction to the respondents for payment of Over Time Allowance from the date of their joining in service stating that the respondent authorities have taken 12 hours duty from them from the date of their joining service and as such they are entitled for Over Time Allowance.

3. The respondents, who have filed their Counter Affidavit, submits that in view of the directions given by this Tribunal in earlier occasion, the respondents authorities have constituted a Committee and thereafter reviewing the work of the applicants and they have taken a decision vide Annexure-6 dated 06.02.2006 for continuing roster duty of 8 hours and as such, if a direction is given to the respondents for payment of over time allowance from such date, the respondents authorities will consider the claims of the applicants. But, it is the case of the applicants that their claims for over time allowance are not only from 06.02.2006, but they are also making their claims from the date of joining service, as the respondents are taking work from them for more than 8 hours.

4. After passing the order dated 06.02.2006, the applicants have not made any representations claiming over time allowance from the respondents, as such, if the applicants are directed to make their representations in respect of their claims for payment of over time allowance the purpose of filing OA would be served.

5. In view of the above circumstances, OA is disposed of with a direction to the respondents to consider the representations of the applicants for payment of over time allowance in view of their decision covered under Annexure-6 dated 06.02.2006 and pass a reasoned order as per rules in respect of the claims of the applicants within a



period of three months from the date of receipt of the copy of this order. The applicants are also directed to file such representations in respect of their specific claims for payment of over time allowance alongwith the copy of this order. No order as to costs.


(M. KANTHAIAH)
MEMBER (J)
08.01.2008

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