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CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

LUCKNOW

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Original Application No. 127 of 1991

this the 03 day of ^{January}~~December~~, 1995

HON'BLE MR. V.K. SETH, ADMN. MEMBER

HON'BLE MR. D.C. VERMA, JUDICIAL MEMBER

Union of India through the General Manager, Baroda House,
New Delhi.

2. The Divisional Railway Manager, Northern Railway,
Hazratganj, Lucknow.

Applicants

By Advocate : None

Versus

Gopal Narain Khare, S/o Late G.P. Khare, Assistant
Station Master, Dariyabad, Northern Railway, Distt.
Barabanki.

2. The Presiding Officer, Central Govt. Industrial
Tribunal cum Labour Court, Pandu Nagar, Kanpur.


Respondents

By Advocate : Shri K.P. Srivastava

O R D E R

D.C. VERMA, MEMBER (J)

The Union of India through the General
Manager, Northern Railway has filed this application
under section 19 of A.T. Act challenging the order of
presiding Officer, Central Govt. Industrial Tribunal
cum Labour Court, Pandu Nagar, Kanpur dated 2.8.1990
passed in ICA No. 125/88 Gopal Narain Khare Vs. M/S
Northern Railway & others. By the impugned order passed



ex-parte against the present applicant, a sum of Rs. 5501/- has been computed in favour of G.N. Khare in respect of over-time and officiating wages against the Northern Railway.

of the applicant

2. The case/as a little checkered history before the Presiding Officer. Gopal Narain Khare had moved an application under section 33 C (2) of Industrial Disputes Act for computation of money benefits amounting to Rs. 5501/- in respect of over time and officiating wages. The application was filed in the year 1988, the case proceeded ex-parte but subsequently the same was set-aside on the application of Northern Railway. Subsequently however, again an order ^{to proceed} ~~of~~ ex-parte was passed and the impugned order has been passed against the applicant of the present O.A. on 2.8.1990. After filing of the present O.A. the ~~stay~~ stay order was passed but same was subsequently vacated by the order dated 23.9.94. On the date of hearing the learned counsel for the applicant ~~was~~ remain^{ed} absent, hence, only the learned counsel for the respondents has been heard.

3. We have perused the file and heard the learned counsel for the respondents and we find that computation of amount of Rs. 5501/- only has been made in favour of the respondents by the Presiding Officer of the Labour Court. The said amount has already been deposited by the applicant and the stay order passed earlier in favour of the applicant has been vacated. The Presiding-



-ng Officer of the Labour Court has computed the amount and rejected the claim of the applicant in respect of part of the claimed amount. It is also admitted by the applicant that for certain period the applicant was entitled for over-time allowance which has been paid by the department. The period for which the ~~Preciding Officer~~ officiating pay and the over time allowance was not paid to the respondents has been computed by the Preciding Officer. We, therefore, find no ground to interfere with the order of the Preciding Officer. The O.A. is accordingly dismissed with no costs.


MEMBER (J)

LUCKNOW: DATED: 03/01/95
GIRISH/-


MEMBER (A)