

**Central Administrative Tribunal, Lucknow Bench, Lucknow**

**Original Application No. 459/2009**

This the 9th day of September, 2010

**Hon'ble Dr. A.K.Mishra, Member (A)**

Durgesh Bahadur Singh aged about 49 years son of Sri Chhedi Singh r/o 775/02- Saeedganj near Railway Model Colony, Raebareli.

Applicant

By Advocate: Sri P.K. Shukla

**Versus**

1. Union of India through the Divisional Railway Manager, Northern Railway, Hazratganj, Lucknow.
2. Senior Divisional Commercial Manager, Northern Railway, Lucknow.
3. Divisional Finance Manager, Northern Railway, Lucknow.
4. Senior Divisional Personnel Officer (ADJ.) Northern Railway, Lucknow.

Respondents

By Advocate: Sri S. Lavania

**ORDER (ORAL)**

**Hon'ble Dr. A.K. Mishra, Member (A)**

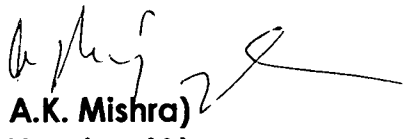
Heard both parties.

2. It is the contention of the applicant that he was engaged on over-time for legitimate official duty by competent respondent authority at Gauriganj Railway Station. In support of that contention, he has filed documents placed at Annexures 5 to 10. These documents are the statements in respect of his own claims which he filed before the competent authority from time to time. Annexure 11 is a summary chart of all his claims. He has also filed the orders of the Station Superintendent dated 25.5.2002 and 10.6.2003 in which he was directed to report the ground position in respect of the nearby factory as well as the railway sliding in between 1800 hrs to 2200 hrs. on those dates

3. Learned counsel for the respondents submits that these two orders covered by Annexure 14-15 relate to two specific dates only. These

could not be relied upon to cover all the dates for which claims have been made by the applicant. Further, the applicant himself has admitted to having been paid overtime allowance of Rs. 73,139/-. However, he has no objection if the respondent No. 3 is directed to re-verify the matter with reference to available official records and settle the claims of the applicant.

4. In the circumstances, respondent No. 3 is directed to reconsider the claims of the applicant after verifying with reference to official records about overtime engagement of the applicant and settle the claims to the extent admissible within a period of 3 months from the date of supply of copy of this order. No costs.

  
**(Dr. A.K. Mishra)**  
**Member (A)**

HLS/-