

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

Second Floor,  
Commercial Complex,  
Indiranagar,  
BANGALORE- 560 038.

Dated: 30 SEP 1994

APPLICATION NO: 354 of 1994.

APPLICANTS:- Mr.V.Jayaraju, Bangalore.,

v/s.

RESPONDENTS:- Secretary, Ministry of Railways, New Delhi and  
others.

To

1. Sri.Ranganatha Jois, Advocate,  
No.36, 'Vagdevi', Shankarapark,  
Shankarapuram, Bangalore-4.
2. Sri.A.N.Venugopal Gowda,  
Advocate, No.8/2, Upstairs,  
R.V.Road, Bangalore-4.
3. Sri.M.S.Padmarajiah,  
Sr.Central Govt.Sngg.Counsel,  
High Court Bldg, Bangalore-1.

Subject:- Forwarding of copies of the Order passed by the  
Central Administrative Tribunal, Bangalore.

--xx--

Please find enclosed herewith a copy of the ORDER/  
STAY ORDER/INTERIM ORDER/ passed by this Tribunal in the above  
mentioned application(s) on 20th September, 1994.

Issued on

30/9/94

*[Signature]*  
DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH: BANGALORE

APPLICATION NO. 354/1994

DATED THIS THE TWENTIETH DAY OF SEPTEMBER, 1994

Mr. Justice P.K. Shyamsundar, Vice Chairman

Mr. T.V. Ramanan, Member(A)

Mr. V. Jayaraju  
Mechanic  
Motor Vehicles Department  
Wheel and Axle plant  
Yelahanka, Bangalore-65. .... Applicant

(By Shri S. Ranganatha Jois, Advocate)

Vs.

1. The Secretary  
Ministry of Railways  
Union of India  
'Rail Bhavan', New Delhi-1.
2. The Managing Director  
The Rail India Technical and  
Economic Services Ltd. (RITES)  
New Delhi House,  
27, Barakamba Road, New Delhi-1.
3. Wheel and Axle plant,  
Yelahanka, Bangalore-64 represented  
by its General Manager. .... Respondents

(By Shri A.N. Venugopal for R-1 & 3 and  
Shri M.S. padmarajaiah, S.C.G.S.C.  
for R-2)

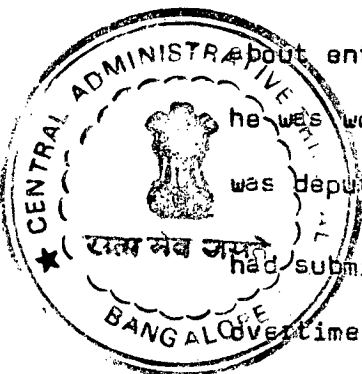
O R D E R

(Mr. Justice P.K. Shyamsundar, Vice  
Chairman)

Admit.

We have heard both sides. This case is all

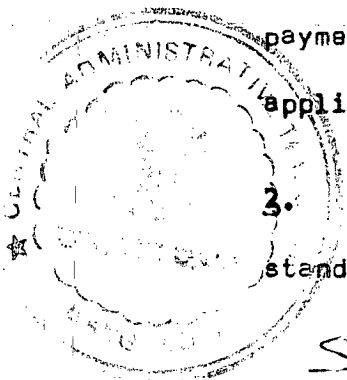
about entitlement of overtime allowance to the applicant when  
he was working as a vehicle driver in Iraq to which place, he  
was deputed at his behest. On an earlier occasion the applicant  
had submitted a representation to the Rites for payment of  
overtime allowance. The said authorities rejected it as per



Annexure-R3 pointing out, inter alia, that as per the terms of the contract signed by the applicant, he was not entitled to overtime allowance stating among other things, no vehicle drivers except/heavy duty vehicles <sup>those working on</sup> were given overtime and that those engaged on light duty vehicles were compensated by Compensatory Rest for working on holidays and travelling allowance whenever they were deputed outside their headquarters and that from the records produced by the applicant they did not find that he had earned any overtime and that in fact he had not even preferred his overtime bill. In short, the claim preferred by the applicant for overtime was rejected.

2. We think under the circumstances even if he prefers an overtime bill, respondent no.2 should have no reservation in considering the claim preferred by the applicant and dispose of the same in accordance with the terms of contract signed by him before proceeding to Iraq and in accordance with the rules, if any, applicable as regards payment of allowance for overtime work put in by the applicant in Iraq.

3. With these observations, this application stands disposed of finally.



Sch

(T.V. RAMANAN)  
MEMBER(A)

Sch

(P.K. SHYAMSUNDAR)  
VICE CHAIRMAN

mr.

*True Copy*  
*[Signature]*  
S.O. 511