

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, 'GULESTAN' BUILDING NO.6
PREScot ROAD, BOMBAY 1

O.A.NOs. 834/94 AND 938/94

P.R. Chandratre & 40 ors.

..Applicants
in O.A. No.834/94

R.Y. Kadam & 3 ors.

..Applicants
in O.A. No.938/94

v/s

Union of India & Ors.

..Respondents

Coram: Hon. Shri Justice M.S.Deshpande, Vice Chairman

Appearance:

Mr. G.K.Masand

Counsel for the applicants

Mr. P.M. Pradhan

Counsel for the respondents

ORAL JUDGMENT:

(Per: M.S.Deshpande, Vice Chairman)

DATED: 21.11.1994

Heard the counsel. Reply of the respondents not filed. There is no denial of the factual position which has been averred by the applicants and that identical matter was decided in favour of the employees by this Tribunal and the Supreme Court has upheld the decision of this Tribunal, which is apparent from the order of the Supreme Court (Exhibit D) to the application. The matter is covered by the earlier decision.

2. Joint petition allowed.

3. Respondents are directed to pay to the applicants the Over Time Allowance of double the rate whenever they perform duties in excess of 9 hours a day or 49 hours per week in accordance with the provisions of

.2.

S. 59(1) of the Factories Act without restricting the same either to the basic pay of employees concerned or otherwise. The arrears shall be paid within two months from the date of receipt of a copy of this order. No order as to costs.

(M.S.Deshpande)
Vice Chairman

80/0/12

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH.

C.P. No. 62/95 IN

D.A. No. 938/94/164-65

Dt:- 5/1/96

Mr. R.Y. Kadam

v/s.

The Union of India & Ors.

... Applicant.

... Respondents.

CORAM: HON'BLE SHRI B.S. HEGDE, MEMBER (J).

HON'BLE SHRI P.P. SRIVASTAVA, MEMBER (A).

TRIBUNAL'S ORDER:

Dt:- 20/11/95.

Heard Shri G.R. Menghani, counsel for Applicant.

Shri Karkera for Shri P.M. Pradhan, counsel for

Respondents.

Since the respondents have complied with the directions of the Tribunal, the learned counsel submits that the C.P. 62/95 does not survive. Accordingly, the same is dismissed as withdrawn.

Certified True Copy
Date: 20/11/96

Section Officer
Central Admin. Tribunal.
Bombay Bench.

SECTION OFFICER.

Copy to:-

Mr. R.Y. Kadam,
C/O. Mr. G.R. Menghani, Adv.

The Union of India & Ors.,
through Mr. P.M. Pradhan, Adv.

11/11/96

Despatched on 21/11/96

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Despatched