

(5)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No. 84/95

Transfer Application No.

Date of Decision

22/12/95

Shri A.M.Chetty

Petitioner/s

Shri G.S.Walia

Advocate for
the Petitioners

Versus

Union of India & Ors.

Respondent/s

Shri V.S.Masurkar

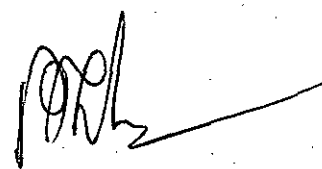
Advocate for
the Respondents

CORAM :

Hon'ble Shri.P.P.Srivastava, Member (A)

Hon'ble Shri.

- (1) To be referred to the Reporter or not ?
- (2) Whether it needs to be circulated to other Benches of the Tribunal ?


(P.P.SRIVASTAVA)

MEMBER (A)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, BOMBAY

(6)

OA.NO. 84/95

Shri A.M.Chetty

... Applicant

V/S.

Union of India & Ors.

... Respondents

CORAM: Hon'ble Member (A) Shri P.P.Srivastava

Appearance

Shri G.S.Walia
Advocate
for the Applicant

Shri V.S.Masurkar
Advocate
for the Respondents

JUDGEMENT

Dated: 22/12/95

(PER: P.P.Srivastava, Member (A))

The applicant was working as Head Clerk under Production Engineer in the Chief Workshop Manager's Office, Central Railway Workshop, Parel, Bombay in the pay scale of Rs.1400-2300. The applicant was sent on duty to various places to collect some material and performed overtime duty during that period. ~~and~~ He submitted the bills for overtime allowance for the period from October, 1993 to December, 1993 for Rs.15,852/-. The applicant has further stated that, under his letter dated 24.2.1994, (Ex!A) Chief Workshop Manager wrote to Workshop Accounts Officer, Parel that the overtime claimed by the applicant had previous sanction of Chief Workshop Manager, Parel Workshop and that the applicant had performed the overtime. However, the claim of the applicant has not

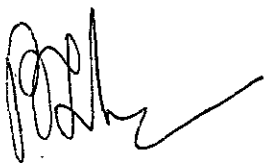


(7)

yet been sanctioned and paid and aggrieved by this non-payment the applicant has approached the Tribunal through this DA. and has prayed that the respondents be directed to make the payment of Overtime Allowance amounting to Rs.15,852/- to the applicant with 18% interest.

2. The respondents have brought out that the claim of the applicant is under scrutiny and in Para 4 of the reply it is stated that "the Overtime claim of the applicant is under process and is not rejected by the respondents." The respondents have brought out that the Workshop Manager has raised an objection for the payment of Overtime Allowance on the ground that OT vouchers submitted by the applicant ^{show} ~~it made clear~~ ^{that} the applicant has worked for 24 hours at a stretch for a period of 10 days to 15 days etc., without taking any rest and therefore the claim of the applicant has been referred to the Head Office, to the office of FA & CAO, Bombay.

3. I have heard both the parties and perused the record. Since the respondents have not rejected the claim of the applicant, they are duty bound to process the claim as per rules and pay him the Overtime Allowance according to the rules. The case of the applicant regarding payment of overtime allowance has not been finalised as it



is under correspondence between the Office of the Chief Workshop Manager and the Accounts Officer of the Workshop. In this case, it is noted that the CWM's Office vide their letter dated 24.2.94 has advised the Accounts Officer that the claim of the applicant ^{Mrh} ~~has~~ the personal sanction of CWM Parel.

4. I, therefore, direct Respondents No. 1 & 2 to finalise the claim of the applicant of Overtime Allowance in terms of the extent rules and pay him the amounts due as per rules within a period of three months from the date of receipt of a copy of this order. There will be no order as to the costs.



(P.P.SRIVASTAVA)
MEMBER (A)

mrj.