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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH, JAIPUR

* * *

CA No. 1108/1992

Date of order: 11-4-1997

Ramesh Chandra Sharma S/o Shri Har Sahai Sharma, aged about 46 years, resident of Gangapurcity, at present posted as Tower Wagon Driver, Chief Traction Foreman, Traction Distribution, Western Railway, Kota Division, Gangapurcity.

.. Applicant

Versus

1. The Union of India through the General Manager, Western Railway, Church Gate, Bombay.
2. The Divisional Rail Manager, Western Railway, Kota Division, Kota.
3. The Sr. Divisional Electric Engineer, Traction Distribution, Western Railway, Kota.
4. The Chief Traction Foreman, Traction Distribution, Western Railway, Gangapurcity, Kota Division, Kota.

.. Respondents

None present for the applicant

Mr. Manish Bhandari, counsel for the respondents

CORAM:

Hon'ble Mr. Gopal Krishna, Vice Chairman

Hon'ble Mr. O.P.Sharma, Administrative Member

ORDER

Per Hon'ble Mr. Gopal Krishna, Vice Chairman

Applicant Ramesh Chandra Sharma has claimed a declaration that the Tower Wagon Drivers be classified as running staff for all purposes w.e.f. 10-4-1991 as also for a direction to make immediate payment of overtime to the applicant forthwith from 19-4-1992.


2. None is present for the applicant despite the fact that
Cksh the case is listed today. We have heard the learned counsel

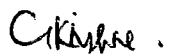
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for the respondents and have perused the records.

3. It is stated by the respondents that the benefit of running allowance is extended to the Drivers of Wagon Tower and the applicant is also allowed the benefit of overtime, if he is asked to discharge his duties beyond the scheduled roster hours. The applicant has stated in para 5 (D) of the OA that he has rendered 66 hours of duty from 9-4-92 to 25-7-92 in overtime for which the amount payable was Rs. 1500/-. It has been categorically denied by the respondents and the respondents have stated that the applicant has not worked beyond the period of roster hours on the dates mentioned in para 5 (D) and, therefore, there is no question of awarding the benefit of overtime of 66 hours to him. Since the applicant has not worked beyond the roster hours of 104 hours fortnightly during the period mentioned in the aforesaid para, his claim for overtime is not admissible. This fact has not been controverted by the applicant by filing a rejoinder. In these circumstances, we find no merit in this application and it is, therefore, dismissed with no order as to costs.


(O.P.Sharma)
Administrative Member


(Gopal Krishna)
Vice Chairman