

CENTRAL ADMINISTRATIVE TRIBUNAL,
CHANDIGARH BENCH

O.A.No.060/00681/2014

Decided on: 12.08.2014

CORAM: **HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)**
HON'BLE MR. UDAY KUMAR VARMA, MEMBER (A)

Kuldeep Singh, Head Booking Clerk, Northern Railway, Railway
Station, Kapurthala.

Applicant

By : Mr. N.P. Mittal, Advocate.

Versus

1. Union of India through General Manager (P), Northern
Railway Headquarters, Baroda House, New Delhi.
2. Divisional Railway Manager, Northern Railway,
Ferozepur Division, Ferozepur Cantt.
3. Senior Divisional Commercial Manager, Northern
Railway, Ferozepur Division, Ferozepur Cantt.
4. Chief Welfare Inspector, Northern Railway, Ferozepur
Division, Ferozepur.

By: None.

... Respondents

ORDER
HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)

1. The applicant has filed this Original Application under section 19 of the Administrative Tribunals Act, 1985 for issuance of a direction to the respondents to release the payment of over time bills (Annexure A-5) for the period from 30.01.2011 till date with interest @9% per annum from the due dates and weekly rest in future, as the respondents in order (Annexure A-1 and A-2) have mentioned that the claim is under consideration and despite lapse of 4 years, no decision has been taken therein.

2. In support of his claim, learned counsel for the applicant submitted that the applicant has already represented the department on 7.12.2012 (Annexure A-7) which was supplemented on 19.12.2013 and 21.7.2014 (Annexures A-8 and A-9 respectively), for grant of relevant benefit but the respondents are yet to take a view in the matter and he has been informed vide communications, Annexures A-1 and A-2 that the issue is pending consideration. He submits that a chart showing the dates and number of hours put in by applicant towards over-time has also been furnished to the respondents but the applicant is being denied the benefit without any lawful reason.

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3. Learned counsel for the applicant submits that the applicant would be satisfied if the O.A. is disposed of by issuance of a direction to the respondents to consider the representations aforesaid submitted by the applicant and take a view thereon as per rules and law within a fixed time frame.

4. For the order which we propose to pass there is no need to issue any notice to the respondents. However, Mr. Lakhinder Singh, Senior Standing Counsel for Railways accepts notice and does not object to the disposal of the O.A. in the requested manner but prays for grant of atleast six weeks to enable the respondents to take a decision one way or the other.

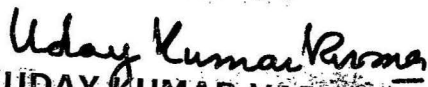
5. In view of the fact that the applicant has already represented the respondents from time to time and issue is pending consideration at the hands of the respondents for quite some time, therefore, without commenting upon anything on merits of the case, we dispose of this Original Application with a direction to the respondents in general and Respondent No.2 in particular, to take a view on the pending representations of the applicant by passing a speaking and reasoned order in accordance with law and rules within a period of two month from the date of receipt of a certified copy of this order, under intimation to the applicant. If the

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applicant is found entitled to the relief prayed for by him, the necessary relief be extended to him within a further period of one month thereafter.

6. No costs.


(SANJEEV KAUSHIK)
MEMBER (J)


(UDAY KUMAR VARMA)
MEMBER (A)

Place: Chandigarh
Dated: 12.08.2014

HC*