

**Central Administrative Tribunal
Principal Bench**

OA No.1405/2017

New Delhi this the 27th day of April, 2017

Hon'ble Sh. Shekhar Agarwal, Member (A)

Hon'ble Sh. Raj Vir Sharma, Member (J)

1. Sunil S/o Sh. Krishan, Age 28 years
R/o H.No. 225, Vill: Daroli Khera
PO: Uchana Khurd, Teh-Uchana, Distt. Jind
2. Sandeep Kumar S/o Sh. Baljeet Singh, Age 30 years
R/o H.No. 224
VPO: Petwar, Teh.-Narnond, Distt. Hisar Haryana
3. Balwan S/o Sh. Ram Niwas, Age 30 years
R/o VPO-Hathwala
Teh-Julana, Distt. Jind, Haryana
4. Surya Bhushan Kumar, Age 30 years
S/o Sh. Rajniti Prasad
R/o Qtr No. T-6/4, Railway Colony, Kilazafargarh,
Distt. Jind
5. Sandeep Kumar S/o Sh. Nafe Singh,
R/o VPO:Balnad, Age 30 years
Distt: Rohtak, Haryana
6. Vijender Kumar S/o Sh. Ravinder Kumar
Age 30 yeas, R/o VPO: Meham
Ward No.7, Teh-Meham,
Distt.Rohtak
7. Vinod Kumar S/o Sh. Suraj Bhan, Age 30 years,
VPO: Julani, Teh & Distt. Jind, Haryana
8. Pawan Kumar S/o Sh. Dayanand, Age 54 years,
R/o Railway Colony, T-6-4, Julana, Distt. Jind, Haryana
9. Surender S/o Sh. Dalbir Singh, Age 24 years,
R/o VPO: Garhwala
Teh-Julana, Distt. Jind (Haryana)
10. Vikas Age 27 years,,
S/o Sh. Krishan Singh, R/o Vill-Shamlo Khurd
PO:Biroli, The & Distt-Jind
11. Raj Kumar, Age 35 years,
S/o Sh. Naneh, R/o Qtr. No.T-5,
Kilazafargarh, Distt. Jind, Haryana

12. Sunil, Age 29 years, S/o Sh. Jai Bhagwan
R/o H.No. 1346/26, Surya Nagar, Ward No. I, Teh & Distt. Rohtak,
Haryana
13. Tej Singh, Age 54 years,
S/o Sh. Jai Pal Singh, R/o H.No. 715/10
R/o Ram Gopal Colony, Sonipat Road, Rohtak
14. Anil Kumar, Age 36 years,
S/o Dharam Pal, R/o VPO: Milakpur No.1
Teh-Narnaund, Distt. Hisar, Haryana
15. Deepak, Age 30 years,
S/o Sh. Mahendar Pal, R/o H.No.363/2
Rambir Singh Colony Railway Road, Jind
16. Chander Pal, Age 52 years,
S/o Sh. Dasi Ram, R/o Qtr. No. L-190-B
Railway Loco Colony, Jind, Haryana
17. Sumesh Kumar, Age 47 years,
S/o Sh. Charan Singh
R/o Gate Lodge 115-C, Jind
18. Sandeep, Age 26 years,
S/o Satbir, R/o VPO: Julani, Jind
19. Ashok Kumar, Age 28 years,
S/o Sh. Satnarain, R/o VPO: Baroli
Jind, Haryana
20. Rajesh Kumar, Age 38 years,, S/o Jeewan Singh
R/o VPO: Julani, Jind Haryana
21. Krishan Pal, Age 51 years, S/o Sh. Om Prakash
R/o H.No. 1057, Hakikat Nagar, Jind
22. Sandeep, Age 29 years, S/o Sh. Pala Ram
R/o VPO: Dhakal, Teh-Narwana, Jind Haryana
23. Anil Kumar, S/o Sh. Umed Singh
VPO-Bass (Badshapur) Teh-Bass, Distt. Hisar
24. Sandeep S/o Surajmal, R/o VPO-Bhaini Surjan
Teh-Meham, Distt. Rohtak, Haryana
25. Sanjay Kumar, Age 34 years,
S/o Sh. Ram Phal
VPO-Bass (Badshapur) The-Bass, Distt. Hisar
26. Vinod Kumar Bairwa, S/o Sh. Ghasi Ram Bairwa

VPO-Khedli, Teh-Baman Was, Distt. Sawai Madho Pur
Rajasthan.

...Applicants

(By Advocate : Sh. U. Srivastava)

Versus

1. Union of India through the General Manager
Northern Railway, Baroda House, New Delhi.
2. The Divisional Railway Manager
Northern Railway, Estate Entry Road, New Delhi.
3. The Divisional Engineer
O/o The Divisional Railway Manager
Northern Railway, Estate Entry Road, New Delhi. Respondents

ORDER (ORAL)

Mr. Shekhar Agarwal, Member (A)

This OA has been filed seeking the following reliefs :-

“(a) Directing the respondents to place the relevant records pertaining to the present O.A. before their Lordships for the proper adjudication in the matter in the interest of justice.

(b) Directing the respondent No.2, the competent authority, to consider and finalize the legal notice submitted by the applicants on 22.09.16 followed by the reminder dt. 19.02.17 for granting the overtime allowances for the working period of the applicants beyond 8 hours per day as the respondents prepared the 12 hours duty roster of the applicants, which is pending with them, as the issue herein has already been settled by the Hon'ble Tribunal, Principal Bench, New Delhi in OA No. 107/09 decided on 21.01.11 upheld by the Hon'ble High Court of Delhi in WP(C) 7164/11, OA No. 3054/12 decided on 27.08.13 and OA No. 3549/15 decided on 19.08.16 and thereafter;

(C) Directing the respondents to extend the benefits of the overtime allowance from the date of their posting/entitlement accordingly with all other consequential benefits i.e. the arrears of differences and interest etc.

(d) Allowing the O.A. of the applicants with all other consequential benefits and costs.

(e) Any other fit and proper relief may also be granted to the applicants."

2. The applicants sent a Legal Notice on 22.09.2016 followed by reminder dated 19.02.2017. However, the respondents have yet to reply to the same. In the present OA, the applicants are seeking a direction to the respondents to reply to the legal notice dated 22.09.2016 in a time bound manner.

3. In view of the limited prayer made by the applicants, we dispose of this OA at the admission stage itself without issuing notice to the respondents and without going into the merits of this case, with a direction to them to reply to the legal notice of the applicants within 60 days from the date of receipt of a certified copy of this order. No costs.

(Raj Vir Sharma)
Member (J)

(Shekhar Agarwal)
Member (A)

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