

**CENTRAL ADMINSITRATIVE TRIBUNAL  
PRINCIPAL BENCH,  
NEW DELHI**

**OA No.898/2017  
MA No.953/2017**

**New Delhi this the 25<sup>th</sup> day of April, 2017**

**Hon'ble Mr. V. Ajay Kumar, Member (J)**

1. Sunil  
Age 29 years  
S/o Shri Ramkumar  
R/o Vill. & PO Jhamola  
Teh-Julana, Distt. Jind (Haryana).
2. Vikram  
Age 29 years  
S/o Shri Prem Kumar  
R/o Vill-Khanda Kher  
PO Khanda Kher, Teh-Hansi  
Distt. Hisar, Haryana.
3. Krishan  
Age 50 years  
S/o Shri Prabhu Ram  
R/o Vill-Gosain Khera  
PO Shamlo Kalan, Teh-Julana  
Distt. Jind, Haryana.
4. Vikash  
Age 25 years  
S/o Shri Satbir Singh  
R/o Vill. Kharainti  
Teh-Julana, Distt. Jind, Haryana.
5. Rakesh Kumar  
Age 24 years  
S/o Shri Ramesh Sharma  
R/o Vill-Gosain Khera  
PO Shamlo Kalan  
Teh-Julana, Distt. Jind, Haryana.
6. Satpal Singh  
Age 53 years  
S/o Shri Rattan Singh  
R/o H. No.421  
Sector-9 UIE, Jind, Haryana.

7. Manoj  
Age 23 years  
S/o Shri Karambir  
R/o Vill-Anoopgarh  
PO Biroli, Distt. Jind Haryana.
8. Manjeet Kumar  
Age 28 years  
S/o Shri Ramchander Singh  
R/o VPO Shamlo Kalan  
Distt. Jind, Haryana.
9. Devwart  
Age 32 years  
S/o Shri Sat Pal  
R/o VPO Bhishampura,  
Teh & Distt. Jine, Haryana.
10. Kapil Sindhu  
Age 26 years  
S/o Shri Ajmer Sindhu  
R/o VPO Kharda Kheri  
Teh-Hasrsi, Distt. Hisar,  
Haryana.
11. Anil Kumar  
Age 34 years  
S/o Shri Ramphal Singh  
R/o Vill Kharenti  
Teh-Julana, Distt. Jind  
Haryana.
12. Sonu  
Age 29 years  
S/o Shri Jagbri Singh  
R/o VPO Karela  
Teh-Julana, Distt. Jind  
Haryana.
13. Dharampal  
Age 37 years  
S/o Shri Ram Kumar  
R/o VPO Ugalan  
Teh-Hansi, Distt. Hissar,  
Haryana.
14. Suresh Kumar  
Age 51 years  
S/o Shri Hargyan Pandit  
R/o VPO Madina  
Teh-Meham  
Distt. Rohtak  
Haryana.

15. Mandeep  
Age 22 years  
S/o Shri Jagidish Chand  
R/o VPO Mondhal Khurd  
Teh and Distt. Bhiwani  
Haryana.
16. Ankit Verma  
Age 29 years  
S/o Shri Shiv Chandra Verma  
R/o Vill-Kharjhara  
PO Mahesh Khera Distt. Unnao.
17. Dinesh Kumar  
Age 27 years  
S/o Shri Inder Singh  
R/o Vill-Mirch Pur  
PO Mirch Pur, Distt. Hissar  
Haryana.
18. Om Parkash  
Age 58 years  
S/o Shri Faquria  
R/o Vill-Ghaso  
Teh-Narwana, Distt Jind Haryana.
19. Surender Kumar  
Age 29 years  
S/o Ram Kumar  
R/o Vill-Danoda Kalan  
Teh-Narwana  
PO Danoda  
Distt. Jind Haryana.
20. Gurbachan  
Age 25 years  
S/o Shri Randhri Singh  
R/o Vill-Dahola, Teh-Jind  
Distt. Jind Haryana.
21. Om Parkash  
Age 51 years  
S/o Shri Bhoop Singh  
R/o Vill-Dumarkhan Kalan  
Teh-Narwana, Jind  
Haryana.
22. Sandeep  
Age 27 years  
S/o Shri Rajender Singh  
R/o VPO Jhanj Kalan  
Teh & Distt. Jind, Haryana.

23. Devi Parshon  
Age 29 years  
S/o Ramdiya  
R/o VPO Kharal  
Teh Narwana  
Distt. Jind, Haryana.
24. Devi Parsan  
Age 35 years  
S/o Shri Prem Chand  
R/o VPO Kharal, Teh-Narwana  
Distt. Jind, Haryana.

....Applicants.

(By Advocate: Shri 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)**

**By Hon'ble Mr. V. Ajay Kumar, Member (J)**

Heard the learned counsel for the applicants.

### **MA No.953/2017**

2. MA No.953/2017, filed for joining together, is allowed.
3. The applicants, who are working as Gateman/Trackman in the respondent-Northern Railway, filed the present OA 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 respondents to consider and finalize the case of the applicants for granting the overtime allowances for the working period of the applicants beyond 8 hours per day as the respondents prepared the 12 house duty roaster of the applicants, which is illegal, unjust, arbitrary, against the rules and contrary to the law laid down 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 applicant with all other consequential benefits and costs.
- (e) Any other fit and proper relief may also be granted to the applicant.”

4. It is submitted that the applicants have made number of representations and also got issued a legal notice (Annexure A-9 dated 22.09.2016) ventilating their grievances to the respondents, however, the respondents have not passed any order thereon till date.

5. In the circumstances, the OA is disposed of, at the admission stage, without going into the merits of the case, by directing the respondents to consider the legal notice (Annexure A-9 dated 22.09.2016) and pass appropriate reasoned and speaking order within 90 days from the date of receipt of a copy of this order, in accordance with law. No costs.

Let a copy of the OA, be enclosed to this order.

**(V. AJAY KUMAR)**  
**Member (J)**

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