

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

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

New Delhi this the 25th 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 Jagdish 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 Gatekeeper/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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