

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

**OA No.1824/2017
MA No.1441/2017**

this the 25th day of May, 2017

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

1. Anoop Kumar, S/o Sh. Satbir Singh,
R/o 754/21
Gotam Nagar, Near Subhlagan Gardan,
Gohana, Sonipat, Haryana.
2. Kuldeep S/o Sh. Palaram,
R/o Vill-Hulana,
Distt. Sonipat,
Haryana.
3. Vajir S/o Sh. Baldev,
R/o Vill: Chamrara,
Teh-Ishrana, PO: Mandi, Distt. Panipat
Haryana.
4. Sandeep S/o Sh. Umid Singh,
R/o Vill: Sir Sadh
PO: Mehmoodpur,
Teh-Khanpur Kalan,
Distt. Sonipat.
5. Narendra Kumar S/o Sh. Raghbir Singh
R/o VPO: Bijnol,
Teh-Panipat, Distt. Panipat
Haryana.
6. Harish S/o Sh. Dharampal Singh
R/o VPO: Sirsath,
Teh-Khanpur, Distt. Sonipat
Haryana.
7. Sanjeev Kumar S/o Sh. Kaliyan Singh
VPO: Asrpur, PO: Mariche,
Distt. Etah (UP)
8. Sukhvinder S/o Sh. Harbans Lal
R/o Sanjay Colony, Railway, Panipat,
Haryana.
9. Manoj Kumar S/o Sh. Sumer Singh
R/o Vill & PO:-Ganganana,
Distt. Sonipat
Haryana.

10. Ravinder S/o Sh. Ram Kishan
R/o Vill-Akoda
PO: Akoda,
Distt. Mandhergarh,
Haryana.

11. Sunny S/o Sh. Kulwant,
R/o Railway Qtr,
H.No.60/A, Near Sanjay Colony, Panipat,
Haryana.

12. Ashok Kumar, S/o Sh. Hari Ram
R/o VPO: Fatesh Pura,
Teh-Neem Kaithana,
Distt. Sikar,
Rajesthan. Applicants

(By Advocate: Shri M.K.Gaur for 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.

4. The Assistant Divisional Manager
Northern Railway, Rohtak,
Haryana. Respondents

ORDER (ORAL)

Heard the learned counsel for the applicants.

2. MA No.1441/2017, filed for joining together, is allowed.

3. The applicants, who are working as Gateman/Trackman under 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 finalise 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 hours duly 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 vide Annexure A-9 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) 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)

(By Advocate:

Versus