

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD**

Original Application No.21/958/2018

Date of Order: 25.06.2019

Between:

K. Naga Sai Kumar, Retd. Sr. Shunter, Group C,
H. No. 12-10-1271/A, Boudha Nagar,
Mee Seva, Warasiguda,
Secunderabad – 500061.

... Applicant

And

1. Union of India, rep. by General Manager,
South Central Railway, Rail Nilayam,
Secunderabad – 500 025.
2. Sr. Divisional Personnel Officer,
Sanchalan Bhavan, Secunderabad Division,
Secunderabad – 500 025.

... Respondents

Counsel for the Applicant ... Mr. K.S.P. Reddy

Counsel for the Respondents ... Smt. Vijaya Sagi, SC for Rlys

CORAM:

Hon'ble Mr. B.V. Sudhakar, Member (Admn.)

ORAL ORDER

{As per Hon'ble Mr. B.V. Sudhakar, Member (Admn.) }

The OA has been filed against the inaction of the respondents in not making payments for the work done by the applicant on over time basis.

2. The applicant retired on 30.06.2011 as Senior Shunter from the respondent organization. The applicant claims that he has not been paid Over Time Allowance (for short 'OTA') for the period from 2006 till the date of retirement as per rules and the regulations on the subject. The

applicant claims that he has submitted the relevant vouchers to the 1st and 2nd respondents along with his colleagues. The 2nd respondent informed that OTA will be released on receipt of vouchers from the concerned supervisors. However, till date, the same has not been released. Hence, the OA.

3. The respondents in their reply statement have submitted that the applicant is claiming OTA for the period from 01.01.2006 to 01.08.2010 by filing an OA in 2018. Therefore, there is a gap of 8 years in filing the OA. Hence, it is barred by limitation. The respondents also informed that one Sri Nama Rupla was granted a sum of Rs.10,309/- towards OTA for the period from 01.01.2006 to 31.08.2008 as per the direction in the OA 940/2018. As per the records, the supervisor under whom the applicant has worked has certified that there are no OTA claims of the applicant which are pending with him and all the claims made have been processed and disposed. Therefore, there is no cause of action on behalf of the respondents to attend to the relief sought.

4. Heard both counsel and perused the material papers on record.

5. Learned counsel for the applicant informed that the respondents have not released the OTA despite submission of relevant OTA vouchers. He has pleaded that an opportunity be given to the applicant to submit the vouchers, which are available with him even to this date. Learned counsel for the respondents stated that since it is a belated claim, the

same could not be entertained. However, the objection is not sustainable since the applicant claims that he has worked over time and the respondents are duty bound to pay for the same as per rules and regulations in vogue. Nevertheless, the same has to be done after verification of the claim of the applicant.

6. Therefore, in the interest of justice, the applicant is directed to submit a representation, within two weeks on receipt of this order, along with the relevant OTA vouchers or any other relevant records available with him to the respondents who in turn will verify and decide the settlement of the claim, within a period of eight weeks from the date of receipt of such claim from the applicant.

7. With the above directions, the OA is disposed. There shall be no order as to costs.

(B.V. SUDHAKAR)
MEMBER (ADMN.)

Dated, the 25th day of June, 2019

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