

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR
BENCH, JAIPUR

S.B. CIVIL WRIT PETITION NO.15597 OF 2013
RAM KUMAR OLA S/O SHRI LAXMAN RAM, AGED ABOUT 61 YEARS
RESIDENT OF VILLAGE KUDALI, THANA RAGHUNATHGARH
DISTRICT SIKAR (RAJ.)

V.

RSRTC THROUGH CHAIRMAN-CUM-MANAGING DIRECTOR, PARIVAHAN
MARG, CHOMU HOUSE, JAIPUR.
CHIEF MANAGER, RSRTC, SIKAR DEPOT, SIKAR.
CHIEF MANAGER, RSRTC, JHUNJHUNU DEPOT, JHUNJHUNU.

Date of order : 30th November 2016

HON'BLE MR. JUSTICE JAINENDRA KUMAR RANKA

Mr. Govind Gupta, counsel for petitioner
Mr. R.M. Bairwa, counsel for respondents

ORDER

1. The sole prayer raised by the petitioner, who has retired as a driver of the respondent Corporation since long, is that he is entitled to be allowed overtime, night allowance and other amount which was due to him.

2. Learned counsel for the petitioner contends that the petitioner was appointed in the year 1988 and thereafter had served the respondent dedicatedly and as per the provisions the petitioner was entitled to overtime as well as night allowance, and has claimed that since he was working in Sikar depot from October 1998 to June 2002 and October 2004 to December 2004, he was eligible for overtime amounting to Rs.30,371/- out of which Rs.21,200/- has already been paid, therefore an amount of Rs.9,171/- was due against the respondents. Learned counsel also contended that the

petitioner worked in Jhunjhunu depot from June 2002 to October 2004 and in the said depot he was entitled to overtime of an amount of Rs.38,167/- out of which not a single amount has been paid by the respondents and it is claimed that whatever due has been claimed may be directed to be allowed.

3. Per contra, learned counsel for the respondents has not disputed the liability but contends that the petitioner may file the necessary details along with the bills as verification of the claim made by the petitioner which has to be undertaken by the Head Office.

4. Taking into consideration the arguments raised by the learned counsel for the parties, in my view when the petitioner has served the respondents for sufficient long time and is entitled to his dues which were as per the scheme formulated by the respondent Corporation, is certainly required to be given, and it should not be withheld for no reason particularly when the petitioner is said to have retired long back and for his own right he has filed this writ petition.

5. Accordingly, let the Head Office call for the details/bills filed by the petitioner in Sikar depot as well as Jhunjhunu depot of the respondent Corporation, look into the same and if the same is found to be in accordance with the scheme formulated by the respondents, and if as per records he has given such services, then after necessary verification, be paid to the petitioner within a period of three months after the petitioner submits a representation to the

respondents.

6. With the aforesaid directions, the petition stands disposed of.

(JAINENDRA KUMAR RANKA) J.

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