



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

WRIT PETITION NO.4308 OF 2025

[Union of India through Secretary and Others **..Vs..** Kendriya Sevanibritya
Karmachari Samiti through its Secretary and Others]

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Shri. S. A. Chaudhari, Advocate for Petitioners.
Shri. B. Lahiri, Advocate for Respondents.

**CORAM : ANIL S. KILOR AND
RAJ D. WAKODE, JJ.**

DATE : 7th JANUARY, 2026.

P. C.

. Heard. Rule. Rule made returnable forthwith. Heard finally with consent of learned counsels for the parties. We have also perused the case record.

2. The petitioner - Union of India has challenged the order dated 21.10.2024 passed by Central Administrative Tribunal, Mumbai Bench, CAMP at Nagpur, in Original Application No.832 of 2021, by which the petitioners were directed to extend benefit of calculation of OTA by inclusion of various allowances i.e. HRA, TA, SFA etc. The respondents were also put to condition that they would deposit the amount of benefit in lump-sum in event the decision in Special Leave Petition pending before the Hon'ble Supreme Court of India goes against them.

3. In short, it was the case of respondents before the Tribunal that they were entitled for overtime allowance by including HRA, TA, SFA etc. in computation of OTA. According to them, similar issue had arisen in Original Application No. 650 of 2016 before the Central Administrative

Tribunal, Mumbai, and vide order dated 25.04.2018, the Union was directed to include all allowances stated above in calculation of overtime allowance. According to them, since they are similarly circumstanced, they are also entitled for same.

4. Per contra, learned counsel for petitioners has stated that issue involved is pending before the Hon'ble Supreme Court and therefore, at present, the respondents are not entitled for any relief.

5. On perusal of record, it is clear that the learned Tribunal by considering relief granted to similarly circumstanced persons has extended the benefit to the respondents. The interest of the petitioners is also protected by directing them to give undertaking. In view of it, we do not see any reason to interfere in the judgment impugned. Accordingly, we pass following order:

ORDER

i) The petitioners shall extend benefit of One Time Allowance (OTA) by inclusion of various allowances. The respondents shall submit the undertaking stating the nature of allowances which they are getting and the date from which they were held entitled for it.

ii) The respondents shall also file undertaking that in case, issue pending in Special Leave Petition is decided against them, they shall deposit the amount of benefit in lump-sum with the respondents.

iii) The petitioners shall consider entitlement of respondents for overtime allowance on the basis of undertaking given by them.

6. Petition is allowed in the aforestated terms.

(RAJ D. WAKODE, J.) (ANIL S. KILOR, J.)