

Central Administrative Tribunal
Principal Bench: New Delhi

OA No.856/95

New Delhi this the 1st day of January 1997.

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)
Hon'ble Mr K.Muthukumar, Member (A)

Union of India through the
D.P.O./ Northern Railway
Paharganj, New Delhi and Shri Agarwal, P.W.I
Baraut, N. Railway, Distt. Meerut ...Applicant.

Versus

1. Bharat
Son of Shri Shivadutt
R/o Qr. No.132A Bhagpat Road working
as Office Khalasi under P.W.I Baraut
Northern Railway, Dist. Meerut
2. Assistant Labour Commissioner
The authority under the Payment of
Wages Act 1936, Distt. Meerut. ...Respondents.

(By Advocate: Shri G.S.Bequarar)

O R D E R (oral)

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)

This application is directed against orders dated 23.10.91 and 28.7.92 passed by the Authority under the Payment of Wages Act in P.W. Case No.185/91 Bharat Vs. D.P.O. and others (Northern railway). The respondent has filed a reply, inter-alia, contending that as an appellate forum has been prescribed under Section 17 of the Payment of Wages Act, this application is not maintainable as the Tribunal has no jurisdiction to entertain the application directed against order passed by the Authority under Section 17 of the Payment of Wages Act.

In Krishna Prasad Gupta Vs. Controller, Printing & Stationery - OA 1980/95 - decided on 18.10.95, reported in 1995 (2) SLJ Vol.21 page 467, the Hon'ble Supreme Court has held that appeals against order passed under Section 15 of the Payment of Wages Act should lie before the authority prescribed under

Section 17 of the said Act and that the Tribunal has no jurisdiction. In view of the above Supreme Court ruling, we hold that this Tribunal has no jurisdiction to entertain this application. Therefore, the application is rejected under Section 19 (3) of the Administrative Tribunals Act.

No order as to costs.



(K. Muthukumar)
Member (A)



(A.V. Haridasan)
Vice Chairman (J)

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