

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD.

DATED: THIS THE 3rd DAY OF SEPTEMBER, 1998

Coram : Hon'ble Mr. S. Dayal AM
Hon'ble Mr. S.K. Agrawal JM

ORIGINAL APPLICATION NO. 516/96

Union of India through

1. General Manager, Northern Railway, New Delhi .
2. D. R. M., Northern Railway, Moradabad.

C/A Shri G.P. Agrawal - - - - - Applicants

Versus

1. Sri R.B. Saxena (Raj Bahadur Saxena)
Foreman 'C' Laksar at present
Ticket Collector, resident of Haridwar
District : Saharanpur U.P.

2. The Commissioner, Workmen compensation Act
at Saharanpur.

- - - - - Respondents

C/R Shri S.K. Misra

Order

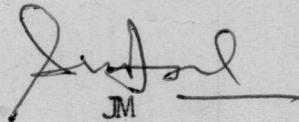
By Hon'ble Mr. S. Dayal A.M.

Since the case relates to the jurisdiction and the position has been made clear by the learned counsel for the respondents while referring ^{to} section 30 of Workmen compensation Act that the appeal lies to the High court and that the Original application is

✓ not maintainable here, ~~we~~ after considering the reply filed on behalf of the respondent no.1 and the rejoinder on behalf of the applicant, we feel that we have no jurisdiction in this case and stand taken by the applicant that this Tribunal is the substitute of the High court and can, therefore, have the jurisdiction over this case cannot be accepted as ^{the} settled position of law is different.

2. Case is, therefore, dismissed for want of jurisdiction. If there is any stay operating in this case, the same is vacated.

3. There will no order as to costs.


JM


AM

SQI