

(3)

OPEN COURT

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

\* \* \* \* \*

Allahabad : Dated this 2nd day of March, 1998

Original Application No. 1444 of 1997

Distict : Banda

CORAM:-

Hon'ble Mr. D.S. Bawela, A.M.

Munni Lal son of Sri Rameshwar Prasad,  
Resident of Brijesh Kirtan Mandal,  
Mohalla Katra District Banda (U.P.)

(Sri R.K. Pandey, Advocate)

. . . . . Applicant

Versus

1. Union of India through the  
General Manager, Central Railway,  
Bombay V.T.
2. Divisional Railway Manager,  
Central Railway, Jhansi.
3. Senior Divisional Account Officer,  
Central Railway Jhansi.
4. The Presiding Officer,  
Central Government Industrial Tribunal Pandu Nagar,  
Deoki Palance Road, Kanpur.

. . . . . Respondents

O R D E R (O\_r\_a\_l)

Hon'ble Mr. D.S. Bawela, A.M.

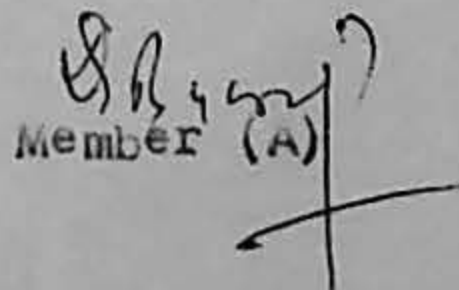
Shri RK Pandey, counsel for the applicant is  
present. Heard on the point of admission.

2. The applicant while working as a Permanent way  
Mistry in Jhansi Division, Central Railway, was given  
a punishment of compulsory retirement. This punishment  
order subsequently was modified by the revisional authority  
into appointment in service as a new entrant. The  
applicant agitated the matter through OA No. 274 of 1987.  
The application was allowed and the punishment was  
modified to reduction to the lowest scale of Permanent  
way Mistry for a period of two years as per the order  
dated 29-2-1988. Thereafter, the applicant has filed

a petition before the Presiding Officer, Central Govt. Industrial Tribunal, Kanpur, ~~under~~ LCA No. 7/96 under Section 33-C-2 of Industrial Disputes Act for computation of Rs. 80845/- <sup>as</sup> arrears of pay and other allowances etc. This application was rejected by the order dated 29-9-97. The present OA has been filed on 24-12-97 seeking the relief of quashing the order dated 29-9-97 of the Presiding Officer, Central Government Industrial Tribunal, Kanpur and to direct the respondents (Railways) to allow all the service benefits including continuity of service <sup>and</sup> arrears of salary etc. from 21-8-1986 with interest of 18% per annum.

3. In view of the above facts of the case, the main issue is of the quashing of the order dated 29-9-96 of the Industrial Tribunal. Referring to the judgement of the Hon'ble Supreme Court in the case of KP Gupta Vs. Controller of Printing and Stationery, the appeal against the order of the Industrial Tribunal does not lie before the Central Administrative Tribunal.

4. In view of the above, the OA is dismissed as not being maintainable for want of jurisdiction.

  
Member (A)

Lube/