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(Reserved)

CENTRAL ADMINISTRATIVE TRIBUNAL,  
ALLAHABAD.

\* \* \* \* \*

Registration T.A.No. 124 of 1986.

Ram Chander . . . vs. . . Union of India and others.

Hon'ble Justice Shri S.Zaheer Hasan, Vice Chairman.  
Hon'ble Shri Ajay Johri, Member(A).

(Delivered by Hon. S.Zaheer Hasan,V.C.)

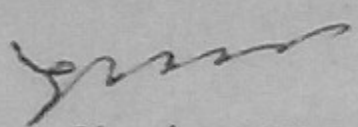
Applicant Ram Chander was working as Shuntman in the office of Divisional Railway Manager, Izatnagar. He filed an application (Application No.6 of 1985) under Section 15 of the Payment of Wages Act, 1936 (in short P.W.Act) before the Prescribed Authority (under the P.W.Act), Kasganj, District Etah, claiming therefund of illegally deducted amount of Rs. 21,850/- and compensation at the rate of 10 times thereof amounting to Rs. 2,18,500/-. This application has been transferred by the Prescribed Authority to this Tribunal under Section 29 of the Administrative Tribunals Act, 1985.

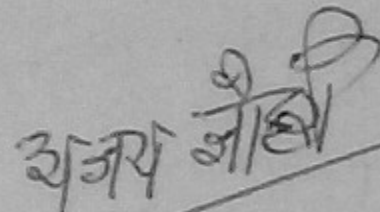
In General Manager, N.E.Railway,  
Gorakhpur and others vs. Phooldeo and others  
(Civil Misc. Writ Petition No. 13349 of 1986  
decided on 2.2.1987) a Divisional Bench of the



Hon'ble High Court of Allahabad has held that the jurisdiction of the Prescribed Authority under the P.W.Act is not ousted by the provisions made in the Administrative Tribunals Act. In Jaquish vs. D.P.O. N.Railway, New Delhi (Registration T.A.No. 876 of 1986 decided on April 24, 1987) this Bench has held that the enforcement of the right and obligation created under the P.W.Act can be had before the Authority under that Act and such type of case under Section 15 of the P.W.Act cannot be transferred to this Tribunal. So, we hold that this case has been wrongly transferred to this Tribunal and we cannot decide the same for want of jurisdiction.

Let the record of the case (Case No. 6 of 1985) be retransmitted to the Prescribed Authority, Kasganj, Etah.

  
Vice Chairman.

  
Member (A).

April 24<sup>th</sup>, 1987.

R.Pr./