

(Reserved)

CENTRAL ADMINISTRATIVE TRIBUNAL,

ALLAHABAD.

* * * * *

Registration T.A.No. 636 of 1986

D.R.M., Central. . . vs. . . Shiv Shankar.
Railway, Jhansi.

Hon'ble Justice Shri S.Zaheer Hasan, Vice Chairman.

Hon'ble Shri Ajay Johri, Member(A).

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

* Shiv Shankar was employed as S.K.R. in Steam Loco Shed in the Central Railway, Jhansi Division, Jhansi. He moved an application (P.W.A. Case No. 67 of 1983) under Section 15 of the Payment of Wages Act, 1936 (in short P.W. Act) before the Prescribed Authority under the P.W. Act, Jhansi, claiming Rs. 3,992.40 as wages and compensation at the rate of 10 times thereof amounting to Rs. 39,924.00. The Prescribed Authority allowed the claim, vide its order dated 30.11.1984. Aggrieved by this order, the Divisional Railway Manager, Central Railway, Jhansi filed an appeal (P.W.Misc.Civil Appeal No. 106) before the District Jhansi, which has been transferred to this Tribunal under Section 29 of the Administrative Tribunals Act, 1985.

M
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 Division 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. 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 P.W.Misc. Civil Appeal No. 106 of 1984 be retransmitted to the District Judge, Jhansi.

Yours
Vice Chairman.
April 24, 1987.

R.P.

3/STC 8/1/87
Member (A).