

(Reserved)

CENTRAL ADMINISTRATIVE TRIBUNAL,

ALLAHABAD.

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Registration T.A. No. 1229 of 1986

Divisional Accounts Officer, .vs. Kesho Ram.
Eastern Railway, Moghulsarai,
and another.

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

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

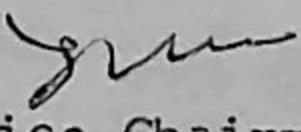
(Delivered by Hon. S.Zaheer Hasan, V.C.)

Kesho Ram was employed in the Eastern Railway, Moghulsarai. He filed an application under Section 15 of the Payment of Wages Act, 1936 (in short P.W.Act) before the Prescribed Authority, under the P.W.Act, Nati Imli, Varanasi, claiming refund of illegal deduction of his wages and compensation at the rate of ten times thereof. The Prescribed Authority allowed the claim and awarded the claimant Rs. 24,090.18 as his wages and Rs. 24,090.18 as compensation. The respondents filed an appeal (P.W.A.Appeal No. Misc. 103/85) before the District Judge, Varanasi, which has been transferred to this Tribunal under Section 29 of the Administrative Tribunals Act, 1985.

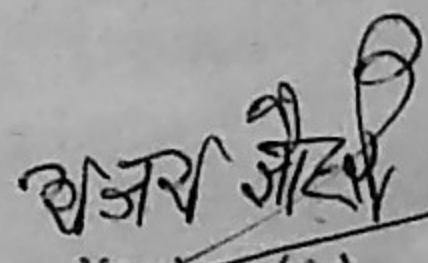
In General Manager, N.E. Railway,
Gorakhpur and others vs. Phooldeo and others
(Civil Misc. Writ Petition No. 13349 of 1986

decided on 2.2.1987) a 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 appeal has been wrongly transferred to this Tribunal and we cannot decide the same for want of jurisdiction.

Let the record of P.W.A. Appeal Misc. No. 103 of 1985 be re-transmitted to the District Judge, Varanasi.


Vice Chairman.

April 24th, 1987.
R.Pr./


Member (A).