

(P.W.D.)

CENTRAL ADMINISTRATIVE TRIBUNAL,

ALLAHABAD.

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REGISTRATION T.A.NO. 68 of 1987.

Harish Chandra Shukla . .vs.. .Divisional Personnel Officer
Northern Railway, Moradabad
and

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

Hon. Shri Ajay Johri, Member(A).

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

This is an application under Section 15 of the Payment of Wages Act claiming Rs. 73.50 as wrong deduction from the wages of the applicant and 10 times as compensation.

This case has been transferred to this Tribunal purporting to be under Section 29 of the Administrative Tribunals Act, 1985.

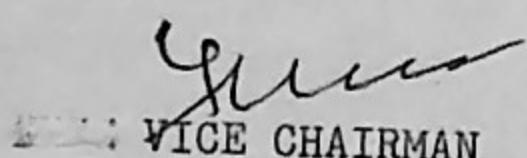
In General Manager, N.E. Railway, Gorakhpur and others vs. Phooldeo and others (Civil Misc. Writ Petition No. 13349 of 1986 decided on 2.2.1987) a Division Bench of the Hon. High Court of Allahabad has held that the jurisdiction of the Prescribed Authority under the Payment of Wages Act is not ousted by the provisions made in the Administrative Tribunals Act. In Jagdish 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 Payment of Wages Act can be had before the Authority under that Act and such type of case under the Payment of Wages 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.

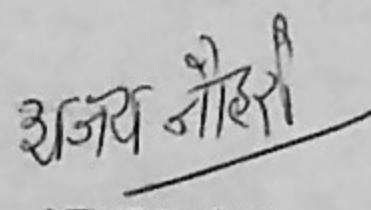
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Let the record of the case (P.W. Case No. 133/12/1986
be retransmitted to the Authority appointed under the Payment
of Wages Act for Moradabad area.


VICE CHAIRMAN


MEMBER (A)

July 24, 1987.
R.Pr./