

CENTRAL ADMINISTRATIVE TRIBUNAL,

ALLAHABAD.

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Registration T.A.No. 105 of 1987
(P.W.Misc.Appeal No. 13 of 1986)

Union of India and another . .vs. .Ram Moorti.

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

Hon'ble Shri B.C.Mathur, Vice Chairman(A).

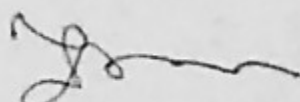
(Delivered by Hon.S.Zaheer Hasan, V.C.)

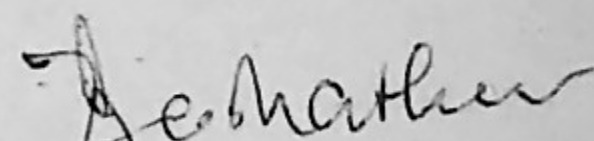
Ram Murti was employed in the Railway Department at Bareilly. He filed an application under Section 15 of the Payment of Wages Act, 1936 (hereinafter referred to as the P.W.Act) claiming Rs. 14,690.00 as his wages and compensation. His claim was allowed by the Prescribed Authority by its order dated 3.12.1985. Aggrieved by this order Union of India went in appeal before the District Judge, Bareilly, under Section 17 of the P.W.Act. This appeal 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'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 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 P.W.Act can be had before the Authority under that Act and such type of case under 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 (P.W.Misc. Appeal No.13 of 1986) be retransmitted to the District Judge, Bareilly.


VICE CHAIRMAN(J)


VICE CHAIRMAN(A)

June 26, 1987.
R.Pr./