

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

Registration T.A. No. 464 of 1987

(P.W. A. No. 70 of 1985)

Bhagwan Das Vs. Divisional Railway Manager,
N.R., Allahabad.

Hon.S.Zaheer Hasan, V.C.(J)
Hon.B.C. Mathur, V.C. (A)

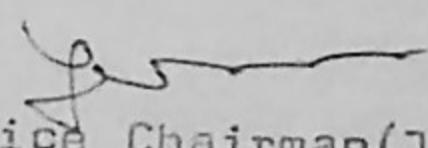
(By Hon.S.Zaheer Hasan, V.C.(J)

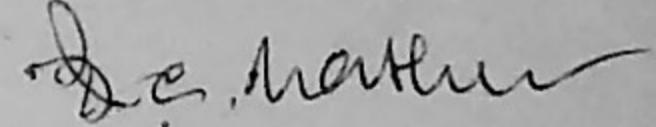
Bhagwan Das was employed in the Railway Establishment under the Permanent Way Inspector, Northern Railway, Manauri, Allahabad. He filed an application under the Payment of Wages Act, 1936 (hereinafter referred to as the P.W.Act) before the Authority appointed under the Payment of Wages Act for Allahabad Area, claiming payment of Rs. 61,600/- as wages and compensation amounting to Rs. 6,16,000/-. By an order dated 24.12.86 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 Versus 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 Versus 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 (Application No. 70 of 1985) be retransmitted to the Authority appointed under the Payment of Wages Act for Allahabad area.


Vice Chairman(J)


Vice Chairman(A)

June 26, 1987

RKM