

CENTRAL ADMINISTRATIVE TRIBUNAL,

ALLAHABAD.

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Registratin T.A.No. 479 of 1987  
(P.W.Case No. 307 of 1984)

Surjeet Singh . .vs. . D.P.O.,Northern Railway,New Delhi

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

Hon. Shri Ajay Johri, Member(A).

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

Surjeet Singh filed this application in the court of City Magistrate and Authority under the Payment of Wages Act for Saharanpur Area, under Section 15 of the Payment of Wages Act,1936 (hereinafter referred to as the P.W.Act) claiming refund of Rs. 3871.18 as illegally and wrongfully deducted wages plus Rs. 38711.80 as compensation. This application has been transferred to this Tribunal under Section 29 of the Administrative Tribunals Act,1985.

In General Manager,Gorakhpur and others vs. Phooldeo and others (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 P.W.Act is not ousted by the provisions of the Administrative Tribunals Act. In Jagdish vs. D.P.O.,Northern Railway,New Delhi(Registration T.A.No. 876 of 1986, decided on 24.4.1987) this Bench has held that the enforcement of right and obligation created under the P.W.Act can be had before the Authority under that Act and such type of case under



Section 15 of 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 hold that we have no jurisdiction to decide the same.

The file of P.W.Case No. 307 of 1984 be re-transmitted to the court of the City Magistrate and Authority appointed under the P.W.Act for Saharanpur.

VICE CHAIRMAN

MEMBER(A)

July 24, 1987.

R.Pr./

Attested

manamdas  
31/7/87

बलराम सिंह  
अनुमय अधिकारी  
केन्द्रीय न्यायिक अधिकरण  
अ.त.र.क. न्या.य.न.ट., इलाहाबाद  
B. Ram Singh  
Joint Member  
Administrative Tribunal  
Regional Bench, Allahabad