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CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD.

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Registration T.A.No. 482 of 1987

(P.W.Case No. 508 of 1985)

Kripa Ram . . . vs. . . D.P.O., Northern Railway, New Delhi.

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

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

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

Kripa Ram filed this application before the Authority under the Payment of Wages Act, and City Magistrate, Saharanpur, under Section 15 of the Payment of Wages Act, 1936 (hereinafter referred to as the P.W.Act) claiming refund of illegal deductions from 6.8.1982 to 6.12.1982 at the rate of Rs. 600/- per month and ten times compensation. This application 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. In Jagdish vs. D.P.O., N.Railway, New Delhi ~~khix~~ (Registration T.A. No. 876 of 1986 decided on 24.4.1987) this Bench has held that the enforcement of the right and obligation created under the P.W.Act can be had before

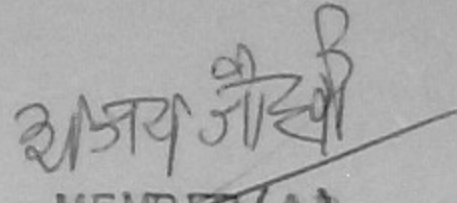
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the Authority under that Act and such type of case under Section 15 of the P.W. Act cannot be transferred to this Tribunal. So, we hold that this case has been wrongly transferred to this Tribunal and we have no jurisdiction to decide the same.

File of P.W. Case No. 508 of 1985 be re-transmitted to the Authority under the Payment of Wages Act for Saharanpur Area, Saharanpur.


VICE CHAIRMAN.

July 24, 1987.
R.Pr.


MEMBER (A)