

CENTRAL ADMINISTRATIVE TRIBUNAL,

ALLAHABAD.

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Registration T.A.No. 483 of 1987
(P.W.Case No. 438 of 1982)

Pritam Singh . . vs. . General Manager, Northern Railway
New Delhi and another.

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

Hon. Shri Ajay Johri, Member(A)

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

Pritam Singh filed this application before the Authority appointed under the Payment of Wages Act, for Saharanpur Area at Saharanpur, under Section 15 of the Payment of Wages Act, 1936 (hereinafter referred to as the Act) claiming refund of Rs. 151230.00 as wages illegally deducted between the period 3.10.1966 to 30.6.82 and Rs. 1512300.00 as 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 (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., N. Railway, New Delhi (Registration T.A.No. 876 of 1986, decided on 24th

April, 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 have no jurisdiction to decide the same.

Let the file of P.W. Case No. 438 of 1982 be retransmitted to the court of the Authority under the P.W. Act for Saharanpur Area, Saharanpur.

VICE CHAIRMAN.

MEMBER (A)

July 24, 1987.

R.Pr./

Attested

Maharudra Singh
31/7/87

महेंद्र सिंह
अनुमति अधिकारी
केन्द्रीय प्रशासनिक अधिकरण
आंतरिक व्यवस्था, इलाहाबाद
Maharudra Singh
Section Officer
Central Administrative Tribunal
Allahabad Bench, Allahabad