

CENTRAL ADMINISTRATIVE TRIBUNAL,

ALLAHABAD.

Registration T.A.No. 619 of 1987

(P.W.Case No. 131 of 1979)

Sadhoo . . .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.)

Sadhoo filed this application before the City Magistrate kland the Authority appointed under the Payment of Wages Act kfor Saharanpur area, at Saharanpur, under Sec. 15 of the Payment of Wages Act (hereinafter referred to as the P.W. Act) claiming Rs. 21051.36 including wrongful deduction of wages and the 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 it 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. 376 of 1986, decided on 24.4.87) 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 cases 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.

The file of P.W. Case No. 181 of 1979 be retransmitted to the court of the City Magistrate and Authority under the Payment of Wages Act for Saharanpur Area, at Saharanpur.

VICE CHAIRMAN.

MEMBER (A)

July 24, 1987.

R.Pr./

Attest

Maharudra Singh
31/7/87

महाराष्ट्र
अध्यक्ष अधिकारी
केन्द्रा १ नरसिंहनगर अ. व. क. म.
आंतरिक न्य. व. व. ड., इलाहाबाद
Maharudra Singh
Section Officer
Central Administrative Tribunal
Additional Bench, Allahabad