

OPEN

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL: ALLO BENCH
ALLAHABAD

DATED: ALLO. On this 16th Day of April, 98

CORAM: Hon'ble Mr D S Baweja, A.M.
Hon'ble Mr J P Sharma, J.M.

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ORIGINAL APPLICATION NO.138 OF 1992.

(1) The Divisional Railway Manager
Central Railway
Jhansi.

(2) Union of India, through
General Manager
Central Railway
Bombay V.T.

(C/A Shri V K Gool) .. Applicants.

Versus

(1) Prescribed Authority, under Payment
of Wages Act/Assistant Labour Commissioner
Jhansi.

(2) Ratna S/o Sri Sambalia, R/o
Gwaltoli, Jhansi

.. Respondents.

O R D E R

(By Hon'ble Mr D S Baweja, A.M.)

None is present for the applicant.

2. This O.A. has been filed against the order dated 17.07.91 passed by the Prescribed Authority under Payment of Wages Act directing the applicant, to pay a sum of Rs.7897.50 towards wages of Resp No.2 i.e. Sri Ratna alongwith damages of Rs.23,693/- with cost of application^{the}.

3. Notices were issued to the respondents but no CA has been filed so far.

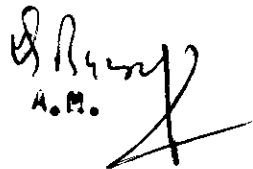
4. Applicants ^{have} ~~now~~ filed M A No.849/98 making a prayer to permit withdrawal of the O.A. in view of the law laid down by Hon'ble Supreme Court ~~as~~ in the case of K P GUPTA vs. CONTROLLER OF PRINTING AND STATIONARY.

We have gone through the judgement of the Hon'ble Supreme Court referred to. In view of what is held in this judgement, present O.A. challenging the order of the Prescribed Authority is not maintainable before the Tribunal. In view of this, the prayer to withdraw the O.A. is allowed and O.A. is dismissed as withdrawn. However, it is provided that the applicants are at liberty to seek remedy before the appropriate forum.

5. Interim stay order granted on 24.2.97 stands vacated.



J.M.


A.M.

Snt/-2/10)