IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ADDL.BENCH

ATK ALLAHABAD.

DATED THIS   8 th May,   1997.

CORAM: HON'BLE Dr. R.K.SAXENA, JM.,
            HON'BLE Mr. S.Dayal,   AM.,

ORIGINAL APPLICATION NO: 481   OF   1992.
           alongwith O.A. 938/93.

Union of India through D.R.M,

Sri D.P.O.,D.S.E.(C),Assistant Engineer(G),

D.E.N(T) and D.M.T.I/C^{R}C (Engineering),

Northern Railway,   ...   Applicant.

V E R S U S:

1.Baij Nath Pal sonof Sri Mata Badal Pal,

2.Moti Lal son ofSri Sahadeo,

3.Hashmat ullah son of Sri Nabiulla,

4.RamBabu   son of Sri Ram Prakash,

5.Ram Chandra son of Sri Bhagwat Prasad,

6.Jai Prakash son ofSri Mewa Lal

7.Sri Punnu Lal son of Sri

    Mahabir Prasad.

8. Sri Ashok Kumar Pandey

    Noticeto be served through Sri A.P.Tewari,

    1, M.G.Marg, Allahabad

9. The Labour Court, Allahabad.

                        ...   Respondents.

APPEARANCE:-
Counsel for the applicant Sri G.P.Agarwal,

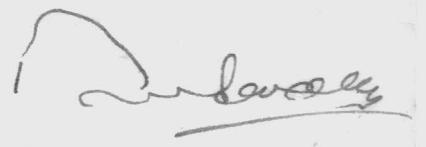Counsel for the respondents Sri A.K.Sinha.

O R D E R (O R A L).

(By Hon'ble Dr.R.K.Saxena, JM.,)

These two O.As have been preferred challenging the Order passed by the Authority Under Section 33(c)(ii) of the Industrial Disputes Act. The assumption on the part of the applicant was that the jurisdiction to challenge such order, vested in this Tribunal. The position is however, changed after the judgement in Civil Appeal of ' L.Chandra Kumar VS: Union of India and Ors' JT 1997(3) SC 589 in which it was held that the supervisory jurisdiction Under Article 227 of the Constitution was vested only in the High Courts. There is no appellate forum in the Industrial Disputes Act, and, therefore, if any body feels aggrieved by any order, he will have to take recourse of filing Writ Petition Under Article 226 and 227 of the Constitution.

2.   In view of this legal position, these two O.As 481/92 and 938/93 are not maintainable before this Tribunal. They are, therefore, dismissed. The Stay Order passed on 7.4.1992 in O.A.No. 481/92 and on 22.6.1993in O.A.No: 938/93 stands vacated. The applicant if so advised, may approach the proper forum even now. A copy of this judgement be placed on the other connected file and parties shall be given one copy of judgement in each of the two cases.

MEMBER(A)   MEMBER(J).

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