

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 20TH DAY OF NOVEMBER 1997

Original Application No. 1095 of 1993

HON.MR.S.DAS GUPTA, MEMBER(A)

Union of India through D.R.M

Central railway, Jhansi

.. Applicant

Versus

1. Mathuri Lal, son of Sri Nand Lal  
R/o 145, Suja Khan Khirkee, Jhansi
2. Prescribed Authority under Payment  
of Wages Act, 1986 D.L.C at Jhansi

.. Respondents

O R D E R(Oral)

HON.MR.S.DAS GUPTA, MEMBER(A)

This original application was filed by the union of India through the D.R.M, Central Railway Jhansi challenging an award dated 26.3.93 given by the Prescribed Authority under the Payment of Wages Act, Jhansi.

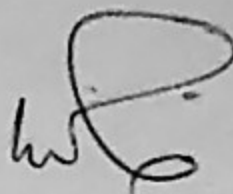
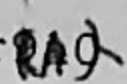
2. The Hon'ble Supreme Court has held in the case of 'K.P. Gupta Vs. Controller Printing and stationery ' that the appellate jurisdiction of the District Judge in the payment of wages cases is not ousted by any provisions of the Administrative Tribunals Act. The applicants in this case approached the Tribunal without exhausting the statutory remedy available to them. The OA is accordingly not maintainable before us and the same is dismissed accordingly and the interim order is vacated.

3. Nothing in this order however, shall preclude the applicants from seeking remedy by filing <sup>an</sup> appeal

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before the appropriate court of jurisdiction in  
accordance with law.

  
member 

Dated: 20th November, 1997

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