

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
A L L A H A B A D

Dated : Allahabad this the 8th day of Oct.1996.

CORAM : Hon'ble Mr. T. L. Verma, Member-J
Hon'ble Mr. S. Dayal, Member-A

Original Application No. 1133 of 1994.

Union of India through General Manager,
Northern Railway, Baroda House, New Delhi
Sr. D.P.O. N.R.Allahabad and I.O.W. Headquarter N.Rly.
Old Station, G.T.Road, Kanpur.applicant.
(Through Sri G.P.Agarwal, Advocate)

Vs.

1. Sri Jagroop s/o. Sri Viseshwar r/o. 465,
G.C.B.Railway Colony, Goods Shed, Kanpur
2. Prescribed Authority under the Payment of
Wages Act, 1936 at Kanpur.
3. S.D.M. Kanpur.

.....Respondents.

(Through Sri B.N.Singh, Advocate).

O R D E R (Oral)

(By Hon. Mr. T. L. Verma, Member-J)

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This application has been filed for setting
aside order dated 31.3.1993 passed by the Prescribed
Authority under the Payment of Wages Act, 1936
in P.W.Case No. 431 of 1990.

2. The Hon'ble Supreme Court in K. P. Gupta's
case has held that jurisdiction of the District
Judge to entertain appeal against the judgment and

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order passed by the Prescribed Authority under the Payment of Wages Act has not been ousted by any provision of Administrative Tribunals Act, 1985.

3. This application, admittedly, has been filed without exhausting the alternative remedy available to the applicant under Section 17 of the Payment of wages Act.

4. In the ^{aforsaid} view of the matter, this application is pre-mature and not maintainable before this Tribunal. The same is accordingly dismissed. It will, however, be open to the applicant to file an appeal before the District Judge as provided in Section 17 of the Payment of Wages Act, 1936. There will be no order as to costs.


Member-A


Member-J

Dt/- Oct. 8, 1996.

(pandey)