

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Original Application No. 1343 of 1995  
alongwith  
Original Application No. 1342 of 1995  
alongwith  
Original Application No. 1344 of 1995

Allahabad this the 13th day of May 1997

Hon'ble Dr. R.K. Saxena, Member (J)  
Hon'ble Mr. D. S. Baweja, Member (A)

O.A. NO. 1343 of 1995

Union of India through the General Manager C. Railway,  
V.T. Bombay (ii) D.R.M. Jhansi C.Rly. (iii) Carriage  
Foreman, Railway Station BAD C.Rly. Mathura Jn.

Applicant

By Advocate Sri G.P. Agrawal

Versus

1. Shri Anant Ram employed in Carriage & Wagon  
Fitter Token No. 74, Central Railway, Railway  
Station Bad Tharot and District Mathura.
2. The Prescribed Authority under the Payment of  
Wages Act 1936 at Mathura (City Magistrate)
3. The IVth Additional District Judge, Mathura.

Respondents

By Advocate Sri R.K. Nigam

O.A. No. 1342 of 1995

Union of India through the General Manager  
C. Railway, V.T. Bombay (ii) D.R.M. Jhansi C.Rly.  
(iii) Carriage Foreman, Railway Station BAD C.Rly.  
Mathura Jn.

Applicant

By Advocate Sri G.P. Agrawal

Versus

1. Shri Anant Ram employed in Carriage & Wagon  
Fitter Token No. 74, Central Railway, Railway  
Station Bad Tharot and District Mathura.
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Wages Act 1936 at Mathura (City Magistrate)
3. The IVth Additional District Judge, Mathura

Respondents .... pg. 2/-

O.A. No. 1344 of 1995

Union of India through the General Manager C. Railway,  
V.T. Bombay(ii) D.R.M. Jhansi C.Rly. (iii) Carriage  
Foreman, Railway Station BAD C.Rly., Mathura Jn.

Applicant.

By Advocate Sri G.P. Agrawal

Versus

1. Shri Anant Ram employed in Carriage & Wagon Fitter Token No. 74, Central Railway, Railway Station Bad Tharot and District Mathura.
2. The Prescribed Authority under the Payment of Wages Act 1936 at Mathura( City Magistrate ).
3. The IVth Additional District Judge, Mathura.

Respondents.

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#### O R D E R

By Hon'ble Dr. R.K. Saxena, J.M.

These 3 cases are being disposed of by the common judgment because they involved the same question of facts and law.

2. The facts of the cases are that the respondent no.1 who was working under the present applicant, had espoused 3 cases before the respondent no.2 with the allegation that the applicant had illegally deducted the salary for different periods and the cases were instituted separately based on different periods. The respondent no.2 held the view that it had no jurisdiction and therefore the cases stated by the respondent no.1, were rejected. Thereupon the respondent no.1 preferred 3 appeals before the District Judge, Mathura. Those appeals were heard and disposed of by the IVth Additional District Judge, Mathura on 26/8/1995. All of

them were decided by one common judgment. The view taken by the respondent no.3 was that the respondent no.1 should have considered the cases on merits and, therefore, they were remanded to the Prescribed Authority with the direction that they should be disposed of on merits. Feeling aggrieved by the said judgment of the respondent no.3, these 3 original applications have been filed on the grounds that the jurisdiction of regular courts was excluded and that the respondent no.2 had given positive finding which could not be altered by the respondent no.3

3. It has been opposed by the respondents on the ground that this Tribunal has got no jurisdiction. We have heard the learned counsel for the applicant proxy and learned counsel for the respondents and have gone through the record.

4. The main question in the case is whether the jurisdiction is vested in this Tribunal to consider and disposed of three O.A.s filed by the applicant. In the recent decision in Civil Appeal No. 481 of 1989 L. Chandra Kumar Vs. Union of India and Others decided on 18/3/97, their Lordships of Hon'ble Supreme Court had held that the supervisory power under Article 227 is vested only in High Court. In view of this legal position, we come to the conclusion that this Tribunal has got no jurisdiction. The O.A.s are therefore, dismissed. The applicant, if so advised, may approach the proper forum even now. The stay order which was granted on 19/12/95, stands vacated.