

Date of Decision: 18.1.96.

OA 110/95

Union of India through the General Manager, Northern Railway, Baroda House, New Delhi, and Divisional Railway Manager, Northern Railway, Bikaner.

... Applicants.

Versus

Somprakash

... Respondent.

CORAM:

HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

HON'BLE MR. O.P. SHARMA, MEMBER (A)

For the Applicant

... Mr. Jagdish Vyas,
brief holder for
Mr. V.D. Vyas
... Mr. Bharat Singh

For the Respondents

ORDER

PER HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

Applicants, named above, have, in this application u/s 19 of the Administrative Tribunals Act, 1985, prayed for quashing the order of the Central Labour Court, Jaipur, dated 30.11.93, at Ann.A-1, by which the claim of the respondent for payment of Rs.1775.25 was allowed with interest @ 12% per annum.

2. We have heard Mr. Jagdish Vyas, brief holder for Mr. V.D. Vyas, counsel for the applicants, and Shri Bharat Singh, counsel for the respondent, and have gone through the records of the case.

3. At the very outset it should be noted that in a Petition for Special Leave to Appeal (No.20141/95) from the Judgement and Order dated 15.4.94 of this Bench of the Tribunal in OA 345/92, Divisional Personnel Officer v. Central Industrial Tribunal, Jaipur & Others, the Hon'ble Supreme Court, on 6.11.95, made the following order :-

"This Court in Krishan Prasad Gupta v. Controller, Printing & Stationery, JT 1995 (7) SC 522, has held that the Central Administrative Tribunal has no jurisdiction to entertain an application under Section 19 of the Administrative Tribunals Act against the award/order of the Labour Courts. In this case the award of the Industrial Tribunal is in favour of the respondent-workman. The award has been upheld by the Tribunal. Although, the Tribunal had no jurisdiction to entertain the application against the award of the Industrial Tribunal since the same has been upheld, we are not inclined to interfere. The SLP is dismissed."

4. In view of the decisions, referred to above, we hold that this Tribunal has no jurisdiction to entertain this application u/s 19 of the Administrative Tribunals Act, 1985. In the result, this application is rejected. We direct that the application/papers shall be returned to the applicants for seeking remedy before an appropriate legal forum.

(O.P. SHARMA)
MEMBER (A)

(GOPAL KRISHNA)
VICE CHAIRMAN