

11/11/96
9

CENTRAL ADMINISTRATIVE TRIBUNAL,
JODHPUR BENCH, JODHPUR

O.A.No. 374/95

Date of Order :15.2.1996

Union of India & Ors.

Applicants

VERSUS

Payment of Wages Authority and Kurdaram

...

Respondents

Mr. S.S. Vyas

...

Counsel for the applicants

Mr. Bharat Singh

...

Counsel for the Respondt. No.2
None present for Respondent 1.

CORAM :

HON'BLE MR. N.K. VERMA, ADMINISTRATIVE MEMBER
HON'BLE MR. RATTAN PRAKASH, JUDICIAL MEMBER

PER HON'BLE MR. N.K. VERMA :

Applicants, Union of India and the Divisional Railway Manager, Northern Railway, Bikaner have filed this application u/s 19 of the Administrative Tribunals Act, 1985, (for short, the Act) praying therein that the order of the Payment Wages Authority, Bikaner dated 31.3.1995 (Annexure A/1) may be declared illegal, perverse, arbitrary and the same may be quashed. The applicants have also prayed for a direction that the Payment of Wages Authority be restrained from taking any action pursuant to the impugned order.

2. As per the judgment of the Hon'ble Supreme Court in Petition for Special Leave to Appeal (Civil No.20141/95) from the judgment and order dated 15.9.94 of this Tribunal in O.A.No.345/92 - Divisional Personnel Officer vs. Central Industrial Tribunal, Jaipur & Ors., the Hon'ble Supreme Court has held that the Central Administrative Tribunal has no jurisdiction to entertain an application under Sec. 19 of the Administrative Tribunals Act against the award/order of the Labour Courts. In view of this decision of the Hon'ble Supreme Court referred to above, we hold that this Tribunal has no jurisdiction to adjudicate this matter. Let the paper-book be returned to the applicants for seeking remedy before an appropriate legal forum, if any.

Rattan P
(RATTAN PRAKASH)
Judl. Member

N.K.Verma
(N. K. VERMA)
Administrative Member

[CPM]