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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JODHPUR BENCH,

J O D H P U R.

Date of Order: 15.4.96.

O.A.No.65/1996.

Union of India & Ors.

...Applicants.

Vs.

Kishan Lal & Anr.

...Respondents.

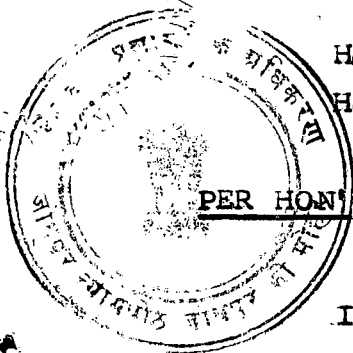
Mr. S.S.Vyas, Counsel for the applicants.

CORAM:

Hon'ble Mr. Gopal Krishna, Vice Chairman.

Hon'ble Mr. S.P.Biswas, Administrative Member.

PER HON'BLE MR. GOPAL KRISHNA :



In this application under Section 19 of the Administrative Tribunals Act, 1985, applicants Union of India, Divisional Personnel Officer, Northern Railway, Bikaner, and Loco Foreman, Northern Railway, Lalgarh, Bikaner have challenged the order passed by the Payment of Wages Authority dated 10.2.95 as being illegal, perverse and arbitrary. The applicants have sought a direction to respondent No.2 not to take any action pursuant to Annexure A/1.

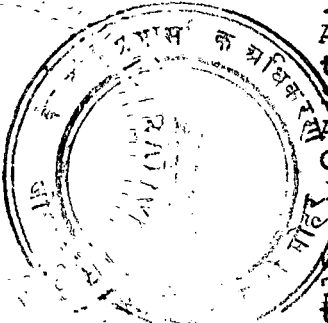
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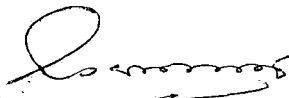
2. We have heard the learned counsel for the applicants and have gone through the records of the case carefully.

3. It may be noted at the very outset that in a Petition for Special Leave to Appeal (Civil No.20141/95) from the judgement and order dated 15.4.94 of this Bench of the Tribunal in O.A.No.345/92, Divl. Personnel Officer Vs. Central Indl. Tribunal, Jaipur & Ors., the Hon'ble Supreme Court on 6.11.95 made the following order:-



"The Court in Krishan Prasad Gupta Vs. Controller, Printing & Stationery J.T. 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 respondents-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 under Section 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.


(S.P. Biswas)
Member (A)


(Gopal Krishna)
Vice Chairman.

V.S.