
Date of Decision: 24.5.94.

OA 1085/92
(OA 47/88)

ABDUL SIKANDAR

... APPLICANT.

VS.

UNION OF INDIA & ANR.

... RESPONDENTS.

CORAM:

HON'BLE MR. JUSTICE D.L. MEHTA, VICE CHAIRMAN.
HON'BLE MR. O.P. SHARMA, MEMBER (A).

For the Applicant

... SHRI S.R. CHAURASIA.

For the Respondents

... SHRI K.N. SHRIMAL.

PER HON'BLE MR. JUSTICE D.L. MEHTA, VICE CHAIRMAN.


The applicant preferred an appeal against the decision of Payment of Wages Authority. He has claimed wages from 22.10.75 to 38.8.76 @ Rs.551/- per month. ~~however~~ ^{in all} he has claimed Rs.5510/-. The Payment of Wages Authority after considering the evidence dismissed the claim of the applicant.


2. The applicant filed an appeal before the learned District Judge and the same was transferred to the Civil Judge who dismissed the appeal on 7.4.78. The applicant also submitted before the Hon'ble High Court the Revision Petition No.900/86, which was decided by the Hon'ble High Court and directions were given that the impugned order is just and proper and the provisions of Payment of Wages Act cannot be invoked for getting the salary without reinstatement. Subsequent to the passing of the order of the Hon'ble High Court, the applicant submitted again this petition and wanted to get the same relief which he could not get from the Payment of Wages Authority, appellate court and the High Court.

3. We have gone through the records. We do not find force in this petition. The Payment of Wages Authority cannot entertain the claim for the payment of Wages unless the order of

101

reinstatement is passed and the relief of reinstatement cannot be granted by the Payment of Wages Authority. Therefore, this petition is not maintainable and the same is dismissed accordingly.


(O.P. SHARMA)
MEMBER (A)


(D.L. MEHTA)
VICE CHAIRMAN