



भारतीय विमानपत्तन प्राधिकरण
AIRPORTS AUTHORITY OF INDIA

URGENT
COURT MATTER

No. A.60011/21-B/2013-IR

Dated: 19.03.2013

Regional Executive Director
NR/WR/ER/NER/SR
Delhi/Mumbai/Kolkata/Guwahati/Chennai

Airport Director
Kolkata /Chennai Airport

Principal
CATC, Allahabad

Executive Director
RCDU / FIU
AAI New Delhi

General Manager
CRSD, E &M Workshop
AAI, New Delhi

Director
Indian Aviation Academy
New Delhi

SUBJECT: W.P. (C) No. 754/2013 IN INDIAN KAMGAR UNION Vs. AAI & Ors.

Sir,

Reference letter No. A.60011/21-B/2013-IR dated 21.02.2013 on the above subject.

2. Copy of the Order dated 13.03.2013 of the Hon'ble High Court, Delhi downloaded from its official website, is forwarded herewith for information and necessary action.

Thanking You,

Yours faithfully,

Encl.: As above (1+3 pages)


[VILAS BHUJANG]
EXECUTIVE DIRECTOR (HR)

Copy to:

1. OSD to Chairman
2. PS to Member (HR)/ Member (PIng.)/ Member (ANS)/ Member (Ops.)/ Member (Fin.)
3. ED (Admn.)/ ED (Fin.)/ ED (CA & CS)/ All GMs in HR (RNS/DG/RD/JKG)
4. All HODs at CHQ & AAI Office Complex, SAP
5. GM (IT) - for uploading in AAI website (www.aai.aero → others → union election)

IN THE HIGH COURT OF DELHI AT NEW DELHI
W.P.(C) 754/2013
INDIAN AIRPORTS KAMGHAR UNION Petitioner

Through: Mr Colin Gonsalves, Sr. Adv. with Mr Juno Rahman, Adv.
versus

AIRPORT AUTHORITY OF INDIA AND ORS Respondents

Through: Mr K.K. Rai, Sr. Adv. with Mr Digvijay Rai, Standing Counsel for
R-1/AAI.

Mr Dinesh Agnani, Sr. Adv. with Mr Inderjit Singh, Adv. for R-2.

Mr H. Tiwari, General Secretary of Respondent no. 5 in person.

Ms Anjana Gosain, Adv. for R- 6 and 7.

Mr Nitin Ahlawat and Mr Amit Sharma, Adv. for Respondent.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER
O R D E R

13.03.2013

The captioned application has been filed to seek condonation of
delay in filing reply to CM No. 1759/2013. The delay is of five days.

Learned senior counsel for the petitioner says that he does not
oppose the prayer made in the captioned application.

For the reasons given in the application and given the fact that
there is no opposition, the same is allowed and the delay is condoned.
The reply to the said CM be formally taken on record. The application is
disposed of.

CM No. 1759/2013 (for amendment)

This is an application for amendment. The prayer made in the application is to allow the amendments as sought for in paragraph 8 of the captioned application. Though the prayer made is not properly framed, as paragraph 8 not only refers to the amendments made in the writ petition but also refers to the pleadings made in the said application from paragraphs 2 to 7.

Learned counsels for the non-applicants/respondents submit that notwithstanding the lack of proper form, they would not raise this technical objection as the amendment has been sought at the very initial stage.

Accordingly, the application is allowed.

The petitioner would be entitled to incorporate the averments made in paragraphs 2 to 7 adverted to in the captioned application and the prayers referred to therein, i.e., in paragraph 8. Let an amended writ petition be filed within two weeks from today. It is made clear that the petitioner shall ascribe separate paragraph numbers to the paragraphs now sought to be incorporated, so that, the respondents are in a position to respond to the same effectively and without much difficulty.

Counter affidavit(s), if any, to the amended writ petition be filed within one week of the service of the amended writ petition. Rejoinder, if any, be filed before the next date of hearing.

CM No. 1760/2013

Mr Agnani, learned senior counsel, who appears for respondent no. 2, and is presently the successful union, says that the last part of the order dated 15.02.2013 be modified by the court, as it is creating an impediment in W.P.(C) 754/2013.

15/02/13

the day-to-day working of the union. It is submitted that, they are not able to take their issues before the management in view of the order passed by this court.

It is made clear that the order dated 15.02.2013 won't come in the way of the day-to-day functioning of respondent no. 2-union. In case there is a major policy issue, which is sought to be negotiated with the management of the AAI, a prior notice will be given to the petitioner, who would then be at liberty to move the court. The order dated 15.02.2013 is modified to that extent.

WP(C) No. 754/2013

The date of hearing fixed in the matter, i.e., 10.04.2013, is cancelled.

List on 25.07.2013.
RAJIV SHAKDHER, J

MARCH 13, 2013

kk

Handwritten signature and date: 15/3/13