

BEFORE THE NATIONAL INDUSTRIAL TRIBUNAL

MUMBAI

Present

JUSTICE RAVINDRA NATH KAKKAR
Presiding Officer

APPROVAL APPLICATION NO. NTB-38 OF 2001
(Arising out of Ref.No. 1 of 1990)

Parties: Air India Ltd., Mumbai : Applicant

Vs.

Mr. J.P.Choudhry : Opp. Party

Appearances:

For the Applicant : Mr.Lancy D'Souza, Adv.

For the Opposite Party : None present

Mumbai, dated the 04th day of February 2021.

JUDGMENT

1.. The present Approval Application filed under Section 33(2)(b) of the Industrial Disputes Act, 1947 by Air India . The present Approval Application seeks approval in respect of the punishment awarded to the Opposite Party by the Punishment Order dated 17.4.2001. The present Approval Application has been filed in view of pendency of Reference No. NTB-1 of 1990.

2. In compliance of the order passed by the Hon'ble Bombay High Court in W.P. No.1015 of 2015 dated 8.6.2015, the order of the Supreme Court in Special Leave Petition No. 23525 of 2015 dt. 02.12.2015 and the order of the Supreme Court in Review Petition No. 3437 of 2015 dt.24.08.2015, the aforesaid Approval Application No. NTB-38 of 2001 stands dismissed as not maintainable. Therefore, it is also made clear that Miscellaneous Application filed by either of the parties in this Approval Application is disposed of accordingly.



3. It is also pertinent to mention that this Approval Application also arise in lieu of pendency of reference No. NTB-1 of 1990. The facts of this Approval Application relates with the similarly situated employee in NTB-10 of 2004.

4. In view of the above, the present Approval Application No.NTB-38 of 2001 arising out of Ref.No.NTB-1 of 1990 is dismissed in compliance of the order of the Hon'ble Bombay High Court and Hon'ble Supreme Court.



सही प्रतिलिपि
TRUE COPY

Nobany
Secretary to the Court
National Industrial Tribunal
Mumbai.

sd/
(JUSTICE RAVINDRANATH KAKKAR)

PRESIDING OFFICER