

BEFORE THE NATIONAL INDUSTRIAL TRIBUNAL

MUMBAI

Present

JUSTICE RAVINDRA NATH KAKKAR
Presiding Officer

APPROVAL APPLICATION NO. NTB-65 OF 1999
(Arising out of Ref.No.NTB 1 of 1990)

Parties: Air India Ltd.,Mumbai : Applicant

Vs.

Mr. R.H.Sonarikar : Opp. Party

Appearances:

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

For the Opposite Party : None present

Mumbai, dated the 27th day of January,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 04.5.1999. The present Approval Application has been filed in view of pendency of Reference No. NTB-1 of 1990.

2. It is submitted by the learned counsel representing Air India Ltd that this Approval Application was filed on 16.7.1999. This approval application was dismissed by this Tribunal on 15.6.2004. Thereafter application for review was filed by the Applicant company before this Tribunal which was rejected on 16.8.2004. It is next submitted that W.P. No. 653 of 2005 was



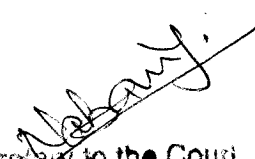
filed by the Applicant Company on 21.3.2005 which was allowed by the Hon'ble Bombay High Court and the impugned order dated 15.6.2004 and 16.8.2004 passed by this Tribunal was set aside and the Approval Application was restored to the file of the National Industrial Tribunal. It is further contended that order in W.P. No. 653 of 2005 was challenged by the opposite party before the Hon'ble Division Bench of the Hon'ble Bombay High Court in Appeal No. 982 of 2005 in which the Hon'ble Bombay High Court passed the Order " It was not necessary for the Respondent Air India Ltd to make application under Section 33(2)(b) of the Industrial Disputes Act, 1947 for seeking approval of the Tribunal in relation to the Appellant"

3. On the basis of the order passed by the Hon'ble Bombay High Court learned counsel made submission before this Tribunal that this Approval Application thus deserves to be disposed of in terms of the order dated 22.3.2010 passed in Appeal No. 982 of 2005.

4. In view of the order passed by the Hon'ble Bombay High Court in Appeal No.982 dated 22.3.2010, this Approval Application is disposed of accordingly.



सत्यमेव जयते
TRUE COPY


Secretary to the Court
National Industrial Tribunal
Mumbai.


(JUSTICE RAVINDRA NATH KAKKAR)

PRESIDING OFFICER