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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ W.P.(C) 5202/2010,CM APPL. 35705/2018

INDIAN AIRLINES KAMGAR SANGHTAN ..... Petitioner

Through: Mr. Ajay Pal Singh Khullar and Mr. K. V. Sriwas, Advs.

versus

NATIONAL AVIATION COMPANY OF INDIA LTD AND ANR ..... Respondents

Through: Dr. Lalit Bhasin, Ms. Nina Gupta, Ms. Ananya Marwah and Mr. Ajay Pratap Singh Advocates

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\+ W.P.(C) 1861/2022, CM APPL. 5333/2022

AIR INDIA LTD ..... Petitioner

Through: Dr. Lalit Bhasin, Ms. Nina Gupta, Ms. Ananya Marwah and Mr. Ajay Pratap Singh Advocates

versus

UNION OF INDIA AND ANR ..... Respondents

Through: Ms. Anjana Gosain, Ms. Ritika Khanagwal, Ms. Dipika Sharma, Advs. for UOI/R-1.
Ms. Asha Jain Madan, Adv. for R-2.

CORAM:
HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

O R D E R

% 21.11.2022

Ms. Anjana Gosain, learned counsel for the respondent No.1 states that an affidavit has been filed in W.P.(C) 1861/2022.

Learned counsel states that the same affidavit may be referred to in W.P.(C) 5202/2010.

Dr. Lalit Bhasin, learned counsel for the AIR India ltd submits that no computation can be filed as there is no record available with the AIR India regarding the claimed overtime by the respondent-workman.

Learned counsel for AIR India Ltd also submits that in AIR India ltd., only share holdings have changed and legal entity remains the same

Learned counsel for the respondent-workman has submitted that on the last date of hearing, AIR India ltd. was directed to file a computation chart in terms of the award dated 25th August, 2021.

Learned counsel for the respondent submits that in the impugned award, the other benefits other than over time has also been awarded to the respondent-workman.

In the impugned award, the respondent -workman were also held entitled to the bonus with the interest for the financial year 2005-06 at par with the bonus paid to counter part in regular cadre. The temporary status employees are also held entitled to pay leave at pro rata rate @ 1 day for every ten working days from the date of conferment of temporary status and the benefit thereto.

The AIR India ltd. was specifically directed to take steps for calculation of the dues payable and settle the dues payable and settle the same in respect of individual members of the claimant union within three months from the date of the publication of this award.

The AIR India ltd. seems to be avoiding its responsibility of even taking steps for calculation of dues payable.

Let the affidavit in this regard be filed.

Let the computation as directed in the impugned award be positively filed within four weeks. The concerned officers of the AIR India are also directed to appear in person on next date of hearing.

List on 13th January, 2023.

DINESH KUMAR SHARMA, J

NOVEMBER 21, 2022
Pallavi