

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 2048 OF 2010  
WITH  
CONTEMPT PETITION NO. 58 OF 2013  
WITH  
NOTICE OF MOTION NO. 307 OF 2015

Mahrukh Shavak Chikliwala & Ors. ... Petitioners  
Vs.  
Union of India & Ors. ... Respondents

WITH  
WRIT PETITION NO. 282 OF 2011  
WITH  
CONTEMPT PETITION NO. 13 OF 2013

Rajendra Sadashiv Nesarikar & Ors. ... Petitioners  
Vs.  
Union of India & Ors. ... Respondents

WITH  
WRIT PETITION NO. 1189 OF 2011  
WITH  
NOTICE OF MOTION NO. 281 OF 2014  
WITH  
NOTICE OF MOTION NO. 110 OF 2017

Brajesh K. Darad & Ors. ... Petitioners  
Vs.  
Union of India & Ors. ... Respondents

WITH  
WRIT PETITION NO. 2641 OF 2010  
WITH  
CONTEMPT PETITION NO. 53 OF 2013  
WITH  
NOTICE OF MOTION NO. 312 OF 2015

Shashikant Narayan Dhotre & Ors. ... Petitioners

Vs.

Union of India & Ors. ... Respondents

.....

Mr. Lakshmi Murali for the Petitioner in WP/1189/2011.

Mr. Mohan Bir Singh a/w Mr. Rahul Jalani I/b. MBS and Co. for the Petitioner in WP/282/2011 and CONPW/13/2013 in WP/282/2011.

Mrs. Neeta Masurkar a/w mr. V. S. Masurkar and Mr. H.V. Mehta for Respondent No.1 in WP/2048/2010.

Mrs. Neeta Masurkar a/w mr. V. S. Masurkar and Mr. D.A. Dube for Respondent No.1 in WP/1189/2011 & CONPW/13/2013 in WP/282/2011.

Ms. Kavita Anchan a/w Mr. Arsh Misra I/b. M/s. M.V.Kini & Co. for Respondent Nos. 1 and 2 in WP/2048/2010 & CONPW/53/2013 in WP/2048/2013.

.....

**CORAM : S. C. DHARMADHIKARI &  
SMT. BHARATI H. DANGRE, JJ.**

**DATE : OCTOBER 30, 2017.**

**P.C. :**

1. When these matters were heard for some time and since the Petitions are pending from 2010, we inquired from Ms. Kavita Anchan appearing for the contesting respondent Air India as to whether the crystallized sum due and payable to the petitioners in these Petitions has been paid or, as she says, all arrears have been cleared by now or not. She states on instructions that they are now cleared and she relies on office statement in that behalf. We are not impressed by such office records. The respondent's competent and authorized official should file an affidavit

disclosing as to how the arrears and which were to be cleared in view of the statements recorded by this Court have been paid and on what date. If they are now paid, whether that is a payment made in full and final settlement of all the claims of the retired employees. If the retired employees are eligible to draw pension, whether the pensionary benefits are now extended month to month. Let such affidavit be filed within one week. Stand over to 6<sup>th</sup> November, 2017.

2. If the matter has to be closed in terms of the statements of Ms. Kavita Anchan and confirmed on affidavit, we shall do so subject to hearing the petitioner's Advocate on the adjourned date. No further adjournment will be granted.

**(SMT. BHARATI H. DANGRE, J.)**

**(S. C. DHARMADHIKARI, J.)**