

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****ORDINARY ORIGINAL CIVIL JURISDICTION****WRIT PETITION NO. 2048 OF 2010****WITH  
NOTICE OF MOTION NO. 307 OF 2015  
IN  
WRIT PETITION NO. 2048 OF 2010****WITH  
CONTEMPT PETITION NO. 58 OF 2013  
IN  
WRIT PETITION NO. 2048 OF 2010**

Mahrukh Shavak Chikliwala & Ors. ....Petitioners.

Vs.

Union of India & Ors. ....Respondents.

Mr. Aditya Bhat i/by M/s. Sanjay Udeshi & Co. for the Petitioners.

Ms. Neeta Masurkar a/w Mr. V.S. Masurkar and Mr. D.A. Dubey and  
Mr. Upendera Lokegaonkar for Respondent No.1.

Mr. Sudhir Talsania, Senior Counsel a/w Ms. Kavita Anchan i/by M.V.  
Kini & Co. for the Respondent Nos. 2 and 3.

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

Shashikant Narayan Dhotre & Ors.

....Petitioners.

Vs.

Union of India & Ors.

....Respondents.

Mr. Aditya Bhat i/by M/s. Sanjay Udeshi & Co. for the Petitioners.

Mr. D.A. Dubey for Respondent No.1.

Mr. Sudhir Talsania, Senior Counsel a/w Ms. Kavita Anchan i/by M.V. Kini & Co. for the Respondent Nos. 2 and 3.

**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.

Mr. Mohan Bir Singh i/by MBS & Co. for the Petitioners.

Ms. Neeta Masurkar a/w Mr. V.S. Masurkar for Respondent No.1.

Mr. Sudhir Talsania, Senior Counsel a/w Ms. Kavita Anchan i/by M.V. Kini & Co. for the Respondent Nos. 2 and 3.

**WITH  
WRIT PETITION NO. 1189 OF 2011**

**WITH  
NOTICE OF MOTION NO. 281 OF 2014  
IN  
WRIT PETITION NO. 1189 OF 2011**

**WITH  
NOTICE OF MOTION NO. 110 OF 2017  
IN  
WRIT PETITION NO. 1189 OF 2011**

Brajesh K. Darad & Ors.

....Petitioners.

Vs.

Union of India & Ors.

....Respondents.

Ms. Laxmi Murali i/by Laxmi Murali & Associates for the Petitioners.  
Ms. Neeta Masurkar a/w Mr. V.S. Masurkar for Respondent No.1.  
Mr. Sudhir Talsania, Senior Counsel a/w Ms. Kavita Anchan i/by M.V.  
Kini & Co. for the Respondent Nos. 2 and 3.

**CORAM : S.C.DHARMADHIKARI AND  
SMT. BHARATI H. DANGRE, JJ.  
DATE : 9<sup>th</sup> MARCH, 2018.**

**P.C.:-**

Mr. Talsania, the learned Senior Counsel appearing for the Air India, states that the financial position of the Airlines has not improved but has deteriorated.

2 He has instructions to state that though no payment could be made from December onwards till this month namely, March 2018 an endeavour would be made to firstly clear the liability in relation to the Productivity Linked Incentive (for short, "PLI"). As per the records of the Air India, this liability is to the tune of Rs.16 Crores. Presently, it is not possible to clear this entire liability. However, an endeavour would be made to pay the amount in equal installments of Rs.2 crores per month, in the coming 8 months. The Air India would commence the payment by installments, by making payment in the first installment of Rs.2 crores by 30<sup>th</sup> April, 2018 and thereafter, at the end

of every month, till the sum of Rs.16 crores is paid up.

3 We accept this statement made by Mr. Talsania, on instructions, as an undertaking to this Court. In order to test the bonafides of the Respondent-Air India, we post this matter on 14<sup>th</sup> June 2018. The matter be now placed before the Bench, assigned Writ Petitions, dealing with the service matters.

4 Presently, we do not refer to other component under which the payment has to be made i.e. 10% flying allowance. Under that head, though the liability is admitted by Air India, but not in the sum stated by the Petitioners. Once the High Court is testing the bonafides of the Air India in relation to the outstanding payments/clearance of liability, let us first deal with the PLI in relation to which, the payment by installment is contemplated. We reserve the rights of the Petitioners to make submissions in relation to the other head and equally to dispute the quantum, stipulated as PLI to each Petitioners. This order is without prejudice.

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

**S.C.DHARMADHIKARI, J.**