



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 5449 OF 2026 (GM-RES)

BETWEEN:

SHARAN A
S/O ASHOK KUMAR M
AGED ABOUT 36 YEARS
RESIDING AT HOUSE NO. 5,
7TH MAIN, ITI LAYOUT
BENSON TOWN,
BENGALURU - 560 046.

...PETITIONER

(BY SRI. JYNA KOTHARI, SR. COUNSEL A/W
SRI. ABHIMANYU ARJUN DEVAIAH T, ADVOCATE)

AND:

1. DIRECTOR GENERAL OF CIVIL AVIATION,
ADDRESS: AUROBINDO MARG
OPP. SAFDARJUNG AIRPORT
NEW DELHI 1- 10 003
EMAIL: dgoffice. dgca@nic.in
ALSO AT 4TH FLOOR
TECHNICAL BLOCK (AAI),
HAL AIRPORT, BENGALURU - 17
EMAIL: regblr.dgca@nic. in
2. INTERGLOBE AVIATION LTD (INDIGO)
ADDRESS UPPER GROUND FLOOR
THAPAR HOUSE, GATE NO.2





WESTERN WING, 124 JANPAT
NEW DELHI - 110 001.

...RESPONDENTS

(BY SRI. VINAY V, ADVOCATE FOR R1;
SRI. PRASANTH V.G, ADVOCATE FOR R2)

THIS WP IS FILED UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA PRAYING TO DIRECTING THE
RESPONDENT NO. 1 TO CONSIDER THE REPRESENTATION
WRITTEN BY THE PETITIONERS ANNEXED AS ANNEXURE -L
DATED 21.01.2026 AND INVESTIGATE AND TAKE NECESSARY
ACTION AGAINST THE RESPONDENT NO.2 AND ETC.,

THIS PETITION, COMING ON FOR ORDERS, THIS DAY,
ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

The caption petition is filed seeking the following reliefs:

"A) Issue an appropriate writ, order or direction, directing the Respondent No.1 to consider the representation written by the Petitioners Annexed as Annexure-L dated 21.01.2026 and investigate and take necessary action against the Respondent No.2.

B) The petitioner humbly prays that, pending the final disposal of the above Writ Petition, this Hon'ble High Court may be pleased to direct Respondent No.1 to keep the License of Petitioner valid and current.

In the alternative



The Petitioner humbly prays that, this Hon'ble High Court may be pleased to direct Respondent No.1 to compel the Respondent No.2 to allow Petitioner to complete his mandated trainings as prescribed in Civil Aviation Requirements, Section 8-Aircraft Operations, Series F, Part 1, Issue I dated 13.02.2013 issued by Respondent No.1.

C) Grant any other relief as this Hon'ble Court deems fit in the interest of justice and equity."

2. The facts leading to the case are as under:

The petitioner, claiming to be a senior commercial pilot in the employment of the second respondent-airline since the year 2017, has approached this Court being aggrieved by an order of suspension passed against him on the basis of certain allegations. It is the specific case of the petitioner that the impugned suspension has far-reaching civil consequences, inasmuch as he has been grounded from active flying duties and is consequently denied access to mandatory simulator checks, recurrent training sessions and live flying, all of which are indispensable for maintaining the currency and validity of a pilot's licence under the regulatory framework governing civil aviation. It is further contended that, in the absence of such periodic compliances, the petitioner's professional standing and future career prospects stand seriously jeopardized.



3. The petitioner would further submit that, immediately upon being placed under suspension, he has submitted a detailed representation to the first respondent, namely the Directorate General of Civil Aviation (for short, "DGCA"), requesting intervention and issuance of appropriate directions to the second respondent–airline. However, alleging complete inaction and non-consideration of the said representation, the petitioner has invoked the extraordinary jurisdiction of this Court seeking a writ of mandamus.

4. Learned Senior Counsel appearing for the petitioner, reiterating the averments made in the petition, would vehemently contend that the impugned suspension is arbitrary, disproportionate and not preceded by any valid complaint or material, thereby infringing the petitioner's fundamental and contractual right to employment. She would submit that the continued suspension, coupled with denial of mandatory training requirements, results in irreversible professional prejudice, and therefore, this Court ought to step in and issue appropriate directions, particularly in light of the inaction on the part of the first respondent–DGCA.



5. Per contra, learned counsel appearing for the first respondent–DGCA would submit that the entire dispute is purely in the realm of employer–employee relationship between the petitioner and the second respondent–airline. It is contended that the DGCA, being a statutory regulatory authority constituted under the Aircraft Act and the relevant Civil Aviation Requirements, is entrusted with oversight of aviation safety, licensing, and regulatory compliance, and does not exercise adjudicatory or supervisory jurisdiction over individual service disputes between private airlines and their employees. It is thus argued that no writ of mandamus can be issued directing the DGCA to interfere in a matter which lies dehors its statutory domain.

6. Learned counsel appearing for the second respondent–airline, on instructions, would submit that an internal disciplinary enquiry has already been initiated against the petitioner and that the matter is at a nascent stage. He would fairly submit that the next date of enquiry is scheduled shortly and, if this Court deems it appropriate to fix a timeline, the second respondent would conclude the enquiry expeditiously



and strictly in accordance with law. He would, however, raise a preliminary objection as to territorial jurisdiction, contending that the cause of action has arisen outside the jurisdiction of this Court, as the decision-making authorities are stationed at Delhi, and therefore, the present writ petition is not maintainable before this Court.

7. Having heard the learned counsels appearing for the parties and upon perusal of the material on record, this Court is of the considered view that the principal relief sought against the first respondent–DGCA is wholly misconceived. The DGCA is a technical and regulatory body tasked with ensuring safety standards, airworthiness, licensing, and compliance with aviation norms. Its jurisdiction is circumscribed to regulatory oversight and does not extend to adjudication of service disputes, disciplinary proceedings, or conditions of employment between an airline and its personnel. The power to suspend an employee and to initiate disciplinary proceedings flows from the contract of employment and the service regulations governing the airline, and not from any statutory control exercisable by the DGCA.



8. Therefore, in the absence of any statutory duty cast upon the DGCA to intervene in such matters, no mandamus can be issued compelling it to act on the petitioner's representation or to interfere with the disciplinary action initiated by the second respondent. Entertaining such a prayer would amount to expanding the scope of judicial review into an area where the regulatory authority itself lacks jurisdiction.

9. Be that as it may, insofar as the grievance of the petitioner against the second respondent-airline is concerned, this Court finds that an enquiry has already been set in motion. To ensure that the principles of natural justice are duly complied with and that the petitioner is afforded a fair opportunity to defend himself, this Court deems it appropriate to issue limited directions governing the conduct and expeditious conclusion of the enquiry.

10. Recording the submission made by the learned counsel for the second respondent, this Court proceeds to pass the following:



ORDER

- i. The writ petition is ***allowed in part***;
- ii. The second respondent shall furnish to the petitioner all documents, materials and records forming the basis of the allegations which have culminated in the order of suspension;
- iii. Upon receipt of such documents, the petitioner shall be at liberty to participate in the disciplinary enquiry and put forth his defence in accordance with law;
- iv. The second respondent shall conclude the enquiry, strictly in adherence to principles of natural justice, within an outer limit of three months from the date of receipt of a certified copy of this order;
- v. All contentions of the parties on merits are kept open.

**Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE**