

M/L. 19 to 24
April 06, 2026.
KAUSHIK

W.P.A. No. 15036 of 2023

Ratan Lal Dey
Vs.
The Airport Authority of India & Ors.

With

W.P.A. No. 15040 of 2023

Soma Roy Gupta
Vs.
The Airport Authority of India & Ors.

With

W.P.A. No. 15045 of 2023

Malati Majumdar
Vs.
The Airport Authority of India & Ors.

With

W.P.A. No. 15048 of 2023

Ratna Dey
Vs.
The Airport Authority of India & Ors.

With

W.P.A. No. 15054 of 2023

Dwijendra Nath Karmakar
Vs.
The Airport Authority of India & Ors.

With

W.P.A. No. 15086 of 2023

Sukumar Samanta
Vs.
The Airport Authority of India & Ors.

Mr. B.N. Ray
Ms. Shetparna Ray
...for the petitioner in all
the matters.

Mr. Dhiraj Trivedi, learned DSGI
Mr. Proloy Bhattacharjee
...for the Union of India.

Mr. Anup Kanti Poddar,
Ms. Anjali Shaw
..for the respondent nos. 1 to 4
in all the matters.

The instructions filed on behalf of the Union of India be kept with the records. A copy of the same is handed over to the writ petitioners.

The grievance of the petitioners is primarily directed against inaction of the respondents to complete the process of inclusion of their names under the Central Pensions Scheme framed under the CCS (Pension Rules) 1972 as amended from time to time and for consequential reliefs.

Briefly, all the petitioners some of who are the next of kin of the deceased employees were employed by the Airport Authority of India (AAI) being the respondent no.1 herein. The core dispute pertains to pensionary benefits of the employees who were transferred *en-mass* from the erstwhile Civil Aviation Department (CAD) to National Airports Authority (NAA) and had rendered less than 10 years of service at the time of their *en-mass* transfer.

In or about September 2017, a decision was taken to allow such employees to avail of pensionary benefits based on the combined service rendered in both organizations. Prior to the above decision, the retired employees were drawing EPF pension as admissible under AAI Rules. In order to avoid dual pension or double superannuation benefits, it was a policy decision that superannuation benefits including EPF pensions already paid to the petitioners be recovered.

There are three arms of the Union of India who are trying to amicably resolve the disputes i.e. (a) Ministry of Civil Aviation, (b) the Department of Pension and Pensions Welfare (DoPPW) and (c) The Airport Authority of India (AAI).

It is submitted on behalf of the Union of India that efforts have been taken by and between the different Departments to resolve the issue and the matter is still pending. Such steps would necessarily involve; (a) stoppage of EPF pension and recovery of the pension already disbursed; (b) deposit of capitalized value of the pension or any other authority of recovery as to be decided by the Ministry. There has been no final resolution of the disputes and there are ongoing negotiations between the three authorities.

On behalf of the petitioners, it is submitted that they have all opted for pension scheme under the Central Pension Scheme and all necessary particulars are available with the AAI.

On behalf of the AAI, it is submitted that they have furnished all necessary information to the Ministry of Civil Aviation.

In view of the submissions made on behalf of the parties, all these writ petitions are disposed of by directing the Civil Aviation Department, Government of India, Department of Pension and Pensions Welfare (DoPPW) and the AAI to take a final decision insofar as the grievance of the petitioners are concerned within a

period of three months from the date of communication of this order.

It is made clear that there has been no adjudication on the merits of the case and all the concerned arms of the Union of India are directed to act expeditiously and positively within the prescribed time period. It is pertinent to highlight that delay in such matters and unnecessary procrastination causes a serious impact on the lives of the petitioners.

With the above directions, all the above writ petitions stand disposed of.

(Ravi Krishan Kapur, J.)