

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NO. 8505 OF 2014

CAPTAIN G.S. BINDRA

APPELLANT(S)

VERSUS

**AIR INDIA THROUGH CHAIRMAN CUM MANAGING
DIRECTOR NATIONAL AVIATION COMPANY OF INDIA**

RESPONDENT(S)

O R D E R

1. This appeal arises from the judgment and order passed by the High Court of Delhi, dated 01.10.2012 in Letters Patent Appeal No.656 of 2012, by which the intra-court appeal preferred by the appellant herein came to be dismissed thereby affirming the judgment and order passed by the learned Single Judge of the High Court, dismissing the Writ Petition (C) No.4625 of 1997, preferred by the appellant herein.

2. We take notice of the fact that the appellant herein was serving as a Pilot in the Indian Air Force.

3. After serving for about 25 years, his services came to an end with the Indian Air force as a Wing Commander.

4. At the relevant point of time, M/s. Vayudoot Ltd., a Government of India undertaking, was formed for the purpose of providing air services as a Feeder Airline to the smaller stations by smaller aircraft.

5. M/s. Vayudoot Ltd. was in need of Pilots and had approached Indian Air Force for the same.

6. Sometime in January/March, 1987, the appellant was appointed in M/s. Vayudoot Ltd. While he was serving with M/s. Vayudoot Ltd., few issues relating to his service conditions cropped up.

7. It appears that in 1991, one another Company by name M/s. Continental Airlines Ltd. requested M/s. Vayudoot Ltd. to allow some Pilots of their company to fly for their airlines. The appellant is said to have applied for permission to fly for M/s. Continental Airlines.

8. The record reveals that he worked with M/s. Continental Airlines for sometime.

9. On 14th September, 1992, a departmental chargesheet came to be served to the appellant herein with the allegations that he had undertaken employment with M/s.Continental Airlines without permission.

10. The appellant was also placed under suspension *vide* the order dated 30.4.1993.

11. It needs to be noted that although the departmental chargesheet was served with charges of insubordination etc., yet this departmental inquiry never got concluded.

12. In the aforesaid background, the appellant went before the High Court of Delhi and prayed for the following reliefs:-

"a). issue a writ order or direction in the nature of certiorari and quash the order of suspension of the petitioner.

b). issue a writ order or direction in the nature of certiorari and quash the enquiry proceedings initiated against the petitioner.

c). issue a writ order or direction in the nature of mandamus and direct the respondent to allow the petitioner to perform his duties and undertake flying of aircraft.

d). issue a writ order or direction in the nature of mandamus and direct the respondent to pay all wages dues and allowances including all arrears to the petitioner forthwith.

e). pass such other and further orders as this Hon'ble Court may deem fit and proper in the

facts and circumstances of the case may also be passed."

13. The writ petition filed by the appellant herein was opposed by M/s. Indian Airlines on various grounds. The writ petition ultimately came to be dismissed by the learned Single Judge. Being dissatisfied with the judgment and order passed by the learned Single Judge, the appellant preferred Letters Patent Appeal.

14. The LPA also ultimately came to be dismissed *vide* the impugned judgment and order passed by a Division Bench of the High Court.

15. In such circumstances, referred to above, the appellant is here before this Court with the present appeal.

16. The appellant has appeared in person. On the other hand, Mr. Dhruv Dewan and Ms. Neena Gupta, the learned counsel, have appeared on behalf of the respondent-Air India.

17. It is not in dispute that the appellant served as a Pilot with the Indian Air Force for a period of about 25 years. As on date, the appellant is aged 84.

18. The appellant believes that for no good reason he was placed under suspension and the suspension continued till he attained superannuation.

19. According to him, the departmental inquiry never saw the light of the day as it was not concluded. According to him, the charges levelled in the departmental chargesheet never came to be established.

20. On the other hand, the learned counsel appearing for the respondent would submit that no error not to speak of any error of law could be said to have been committed by the High Court in passing the impugned judgment and order.

21. It was argued that sometime in 1993 the appellant voluntarily abandoned his service and took up employment with M/s. Continental Airlines.

22. It was pointed out that sometime in 1997, the appellant made a request with the respondent that he may be permitted to join the services, however by that time M/s. Vayudoot Ltd. had already been closed.

23. In the last, it was submitted that since M/s. Vayudoot Ltd. came to be winded up, the departmental inquiry could not be concluded.

24. Having heard the appellant appearing-in-person and having gone through the materials on record, the only question that falls for our consideration is whether the appellant is entitled to any equitable relief.

25. In the course of the proceedings, we suggested to the respondent to put an end to this litigation by offering a reasonable amount to the appellant on the premise that the appellant had actually superannuated from service. Of course this amount/liability has not been admitted by the respondent. The learned counsel appearing for the respondent, very graciously paid heed to our suggestion and after taking instructions from the authority concerned, submits that in the special facts and circumstances of this case, the appellant would be paid a lumpsum amount of Rs.30,00,000/- (Rs.thirty lakh only) towards full and final settlement for the entire dispute.

26. We are of the view that this arrangement is reasonable and equitable.

27. The appellant has also graciously accepted this proposal which has come forward from the respondent.

28. In view of the aforesaid, we need not now adjudicate

the appeal on its own merits.

29. We set aside the order of suspension and treat the appellant to have superannuated in accordance with the rules and regulations. The respondent shall pay an amount of Rs.30 lakh by way of a demand draft drawn in the name of the appellant within a period of four weeks from today.

30. In other words, Rs.30 lakh as a lumpsum amount shall be paid to the appellant. Any TDS liability shall be over and above the amount of Rs.30 lakh.

31. The appellant has very fairly submitted that he would not put forward any other claim in future.

32. Being a superannuated employee of the respondent, the appellant shall be entitled to avail all the benefits under the prevalent policy applicable to similarly situated employees.

33. With the aforesaid, this appeal stands disposed of.

34. We clarify that in the special facts and circumstances of this case, having regard to the age of the appellant this order has been passed. This shall not be cited as a precedent in future.

35. Pending application(s), if any, stand disposed of.

.....J.
[J.B.PARDIWALA]

.....J.
[K.V. VISWANATHAN]

New Delhi
30th October, 2025.

ITEM NO.102

COURT NO.6

SECTION XIV-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No.8505/2014

CAPTAIN G.S. BINDRA

Appellant(s)

VERSUS

AIR INDIA THROUGH CHAIRMAN CUM MANAGING
DIRECTOR NATIONAL AVIATION COMPANY OF INDIA

Respondent(s)

[FOR FURTHER HEARING][AT 2.00 P.M.]
IA No. 272954/2024 - APPLICATION FOR PERMISSION
IA No. 29961/2022 - INTERVENTION APPLICATION
IA No. 12370/2022 - INTERVENTION APPLICATION

Date : 30-10-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Appellant(s) : Petitioner-in-person

For Respondent(s) :Mr. Dhruv Dewan, Adv.
Ms. Nina Gupta, Adv.
Dr. Lalit Bhasin, Adv.
Ms. Radhika Gupta, Adv.
Ms. Ritika Raj, Adv.
Mr. P. V. Yogeswaran, AOR

Mr. Mudit Sharma, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. The appeal is disposed of in terms of the signed order.

2. The relevant part of the order is as under:-

"29. We set aside the order of suspension and treat the appellant to have superannuated in accordance with the rules and regulations. The respondent shall pay an amount of Rs.30 lakh by way of a demand draft drawn in the name of the appellant within a period of four weeks from today.

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34. We clarify that in the special facts and circumstances of this case, having regard to the age of the appellant this order has been passed. This shall not be cited as a precedent in future."

3. Pending application(s), if any, stands disposed of.

(CHANDRESH)
ASTT. REGISTRAR-cum-PS

(Signed order is placed on the file)

(POOJA SHARMA)
COURT MASTER (NSH)