

ITEM NO.23

COURT NO.5
S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SECTION XVII

Petition(s) for Special Leave to Appeal (C) No(s). 8468/2019

(Arising out of impugned final judgment and order dated 24-01-2019 in CPIB No. 298/2018 passed by the National Company Law Tribunal, New Delhi)

CAPTAIN SUBODH KUMAR VERMA

Petitioner(s)

VERSUS

M/S AIR INDIA LTD

Respondent(s)

(FOR ADMISSION and I.R. and IA No.54865/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 07-05-2019 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN
HON'BLE MR. JUSTICE VINEET SARAN

For Petitioner(s) Mr. Balaji Srinivasan, AOR
Mr. Siddhant Kohli, Adv.
Ms. Pallavi Sengupta, Adv.

For Respondent(s) Dr. Lalit Bhasin, Adv.
Ms. Nina Gupta, Adv.
Ms. Palak Chadha, Adv.
Ms. Meghna, Adv.
Mr. P. V. Yogeswaran, AOR

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

We have been informed by Dr. Lalit Bhasin, learned counsel for the respondent, that issues though relatable to Section 9A of the Industrial Disputes Act, 1947 would have a vital bearing on payments to be made ultimately to the petitioner as a management pilot, and are pending in this Court.

It is open for Air India to take this up as a defence in the application that is filed by the petitioner before the NCLT. The NCLT order, therefore is set aside and the NCLT will now go into the Section 9 application filed by the petitioner afresh, after considering objections by the respondent.

The Special Leave Petition stands disposed of accordingly.

Pending application also stands disposed of.

(R. NATARAJAN)
COURT MASTER (SH)

(SUNIL KUMAR RAJVANSHI)
BRANCH OFFICER