

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).16982/2010

(From the judgement and order dated 31/03/2010 in AN No. 1142/2005 in WP No. 2671/2002 of The HIGH COURT OF BOMBAY)

ANIL R.JOSHI Petitioner(s)

VERSUS

AIR INDIA LTD. Respondent(s)

(With permission to appear and argue in person and with prayer for interim relief and office report)
(FOR FINAL DISPOSAL)

Date: 01/03/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE H.L. DATTU

For Petitioner(s) Mr. Anil R Joshi, In-Person

For Respondent(s) Mr. Chander Udai Singh, Sr. Adv.
Mr. Praveen Jain, Adv.
Mr. T.S. Sidhu, Adv.
Mr. Mukesh Kumar, Adv.
Mr. L. Duouza, Adv.
for M/S. M.V. Kini & Associates

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

Application for permission to appear and argue in person is allowed.

After addressing us for some time, the petitioner, who appears in person, seeks leave to withdraw the petition stating that the petitioner would like to seek a reference under Section 10(1) of the

Industrial Disputes Act, 1947, for which leave had been granted by the learned Single Judge in his order

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dated 13th October, 2005 in Writ Petition No. 2671 of 2002, which order has since merged in the impugned order. He, however, prays that since he has been agitating for the past almost 15 years, appropriate

directions may be issued to the Central Government and the Industrial Tribunal/Labour Court to expedite the Reference and its disposal. Accordingly, while dismissing the special leave petition as not pressed, we issue the following directions:

1) The Central Government, being the appropriate Government, is directed to refer the following industrial dispute for adjudication to an appropriate Industrial Tribunal/Labour Court at Mumbai:

"Whether the dismissal of Shri Anil Rajaram Joshi, by Order dated 6th December, 1996, is legal and justified? If not, to what relief is Shri Joshi entitled to?"

2) The Reference shall be made by the Central Government within one month from the date of receipt of a copy of this Order.

3) Upon receiving the Reference, the concerned Industrial Tribunal/Labour Court shall forthwith issue notice to the parties and decide the Reference in accordance with law by making an Award as expeditiously as possible, and in any case not later than 12 months from the date of notice to the parties. Both parties

..3/-

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undertake to cooperate with the Tribunal/Labour Court for expeditious disposal of the Reference. The management shall take steps to communicate this order to the authority concerned forthwith. In case of any delay, the parties shall have liberty to approach this Court.

The special leave petition stands dismissed as

not pressed with the afore-mentioned directions.

[Charanjeet Kaur]
Court Master

[Kusum Gulati]
Court Master