

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).15829/2008

NATIONAL AVIATION COMPANY OF INDIA LTD.J

Petitioner(s)

VERSUS

JT.ACTION COMMT.OF AIRLINE PILOTS & ORS.

Respondent(s)

(With prayer for interim relief)

WITH SLP(C) NO. 15966 of 2008

(With prayer for interim relief)

Date: 10/07/2008 These Petitions were mentioned today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE P. SATHASIVAM

HON'BLE MR. JUSTICE J.M. PANCHAL

For Petitioner(s) Mr. F.S. Nariman, Sr. Adv.
M/s. Lalit Bhasin, Nina Gupta, Ratna Dwivedi,
Swigin, Shweta, Bina Gupta,Advs.

Mr. G.E. Vahanvati, SG
Mr. Tufail A Khan, Adv.
Mr. Chinmoy Pradip Sharma, Adv.
Mr. B. Krishna Prasad, Adv.

For Respondent(s) Mr. Utay U. Lalit, Sr. Adv.
Mr. Nitin S. Tambwekar, Adv.
Mr. B.S. Sai, Adv.
Mr. K. Rajeev,Adv.

For Jet Airway Mr. Harish N. Salve. Sr. Adv.
Mr. L.N. Rao, Sr. Adv.
M/s. P.S. Sudheer, Suman Khaitan,Advs.,

UPON hearing counsel the Court made the following
ORDER

Taken on board.

These two petitions have been filed against an interim order passed by the High Court of Judicature at Bombay. The matter relates to the Flight Crew Standards. In the impugned order the High Court has given certain directions and stayed the

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order passed by the Ministry of Civil Aviation dated 27th July, 2007. We make it clear that we do not express anything on merits. It is pointed out that the National Aviati on

Company of India, Jet Airways and other airways were neither heard nor impleaded in the

proceeding before the impugned order. The impugned order seriously affects the rights of these parties as they were not heard and they want to be heard in the matter.

We request the Hight Court to post these matters in the week commencing 21st July, 2008 and dispose of the same at the earliest. Till such order is passed, the 2 nd June, 2008 order passed by the Civil Aviation Department will be operative which reads as follows;

"In continuation of this office letter of even number dated 29th May, 2008, it is clarified that while keeping in abeyance the CAR - Section 7, Flight Crew Standards, Series 'J', Part III dated 27th July, 2007, the earlier instructions/guidelines on crew FDTL/FTL, as contained in AIC 28 of 1992 shall be effective."

National Aviation Company of India Ltd. and Jet Airways be allowed to be impleaded as parties before the High Court in the proceedings and be heard in the matter.

Parties are given liberty to raise their contentions before the High Court. The special leave petitions are disposed of accordingly.

(R.K.DHAWAN)
COURT MASTER

(VEERA VERMA)
COURT MASTER