

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

I N D I A

Petition(s) for Special Leave to Appeal (C) Nos. 16751-16752/2011  
(Arising out of impugned order dated 27/04/2011 and 10/06/2011 in  
Notice of Motion NO.1133/2011 in appeal No. 223/2011 passed by the  
High Court of Bombay)

AIRPORTS AUTHORITY OF INDIA

Petitioner(s)

VERSUS

INDIAN AIRPORTS EMPLOYEES' UNION &amp; ANR.

Respondent(s)

(Office Report)  
(For final disposal)

Date : 22/07/2014 These petitions were called on for hearing  
today.

CORAM :

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA  
HON'BLE MR. JUSTICE S.A. BOBDE

For Petitioner(s)

Mr. Lalit Bhasin, Adv.  
Ms. Nina Gupta, Adv.  
Mr. Mudit Ssharma, Adv.  
Ms. Swati Sharma, Adv.  
Mr. Parvez A. Khan, Adv.  
Mr. P. V. Yogeswaran ,Adv.

For Respondent(s)

Mr. Anand Grover, Sr. Adv.  
Mr. Bharat Sangal, Adv.  
Ms. I. Abenla Aier, Adv.

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

The learned counsel for the petitioner submitted that the  
services of workmen-employees were not terminated; they were  
continuing in service.

Signature Not Verified  
Digitally signed by  
Rajni Mukhi  
Date: 2014.07.30  
the  
15:20:30 IST  
Reason:

The Tribunal passed the Award directing

Management to treat the workmen-employees as permanent  
employees and to pay wages, privileges, consequential benefits as  
were given to the permanent employees of the Authorities working  
on the respective posts from the date of reference i.e. 7th March,  
2003. Award has been challenged and the interim order has been  
passed by the High Court. In absence of any order of  
reinstatement, the provision of Section 17B of the Industrial  
Disputes Act, 1947 is not applicable.

However, while we appreciate the submission as made on behalf of petitioner, in that case the workmen-employees will be deemed to be continuing in service and are entitled for wages including the arrears, if any. In such case this Court may clarify the intent of the impugned order.

Petitioners are allowed two weeks' time to file an additional affidavit making it clear that they will pay wages to which the workmen-employees are entitled including the back wages.

Post the matters on 12th August, 2014 for final disposal.

[RAJNI MUKHI]  
SR. P.A.

[USHA SHARMA]  
COURT MASTER