

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 1944 OF 2002

JITENDRA PRASAD MATHUR
VERSUS
THE AIRPORT AUTHORITY OF INDIA & ORS.

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Advocate for Petitioner : Mr. A B Kadethankar
Advocate for Respondents : Mr. P.G. Godhamgaonkar

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CORAM : A.V. NIRGUDE & V.K. JADHAV, JJ.
Dated: January 09, 2015

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PER COURT :-

1. Shri Kadethankar, the learned counsel for the petitioner, submits that, despite several attempts to contact his client, he could not establish such contact.

2. Perused the petition and reply filed. The petition pertains to order dated 4.9.2001 passed by the Disciplinary Airports Authority of India holding the petitioner guilty of certain mis-conduct and awarding certain punishment in the form of reduction of his pay for certain time. In reply to this petition, the respondent authority clearly mentioned that, the petitioner in addition to filing of this petition has also filed statutory appeal under the Regulations of 35 of CDA Regulations and stated that the appeal is still pending. This is the statement made by the respondent in their affidavit

dated 8.10.2002. If an appeal is provided and such remedy is availed by the petitioner, we do not see any reason why we should entertain this petition on merits.

3. In addition to this learned counsel for respondents informed us across the bar that, the appeal filed by the petitioner was dismissed and that, the petitioner's action has also been concluded. Petition is now infructuous hence stands dismissed. Needless to add is the petitioner's entitlement to challenge the order dismissing his appeal in appropriate forum.

4. Writ petition stands dismissed.

(V.K. JADHAV, J.)

(A.V. NIRGUDE, J.)

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