

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2015

CORAM:

THE HONOURABLE MR. SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

Writ Appeal No.958 of 2006

Indian Commercial Pilots Association
Airlines House (Regional Office)
Meenambakkam,
Chennai 600 027
represented by its President (Chennai Base)
Captain Rohan Kailasam

...Appellant

versus

1.Union of India
represented by The Secretary to Government
Ministry of Civil Aviation,
Rajiv Gandhi Bhavan,
New Delhi 110 003.

2.The Director General of Civil Aviation
Technical Centre,
Opposite Safdarjung Airport,
New Delhi.

3.Jet Airways India Limited,
represented by its General Manager
S.M.Centre, Andheri, Kurla Road,
Andheri East, Mumbai 400 099.

...Respondents

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent,
against the order dated 14.06.2006 passed by the learned Single
Judge, in W.P.No.37906 of 2005, on the file of this Court.

Petition under Art.226 of the Constitution of India, praying for a Writ of Certiorari, calling for the records of the 2nd respondent in the issue of the Civil Aviation Requirement, Series X Part II, dated 1-9-2005 and to quash the same.

For Appellant : Mr.George Cheiyan
For Respondents : Mr.Su.Srinivasan
Assistant Solicitor General
for R.1 and R.2
Mr.S.Ravi for R.3

J U D G M E N T
(Order made by The Hon'ble The Chief Justice)

Learned Assistant Solicitor General points out that as per his instructions, the Civil Aviation Requirement (CAR) dated 01.09.2014 stands superseded by the subsequent CAR dated 27.10.2009.

2. Learned counsel for the appellant states that the offending provisions are more or less the same. Be that as it may, the challenge would have to be laid to the new CAR dated 27.10.2009, and thus, the present appeal has worked itself out on account of the earlier CAR being superseded.

3. The appeal is thus disposed of as infructuous.

4. We are however inclined to accept the request of the learned counsel for the appellant that if he is advised to challenge the new CAR, this court may itself entertain the petition rather than the learned Single Judge dealing with the same.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

ksr

To

1. The Secretary to Government
Union of India,
Ministry of Civil Aviation,
Rajiv Gandhi Bhavan,
New Delhi 110 003.

2.The Director General of Civil Aviation
Technical Centre,
Opposite Safdarjung Airport,
New Delhi.

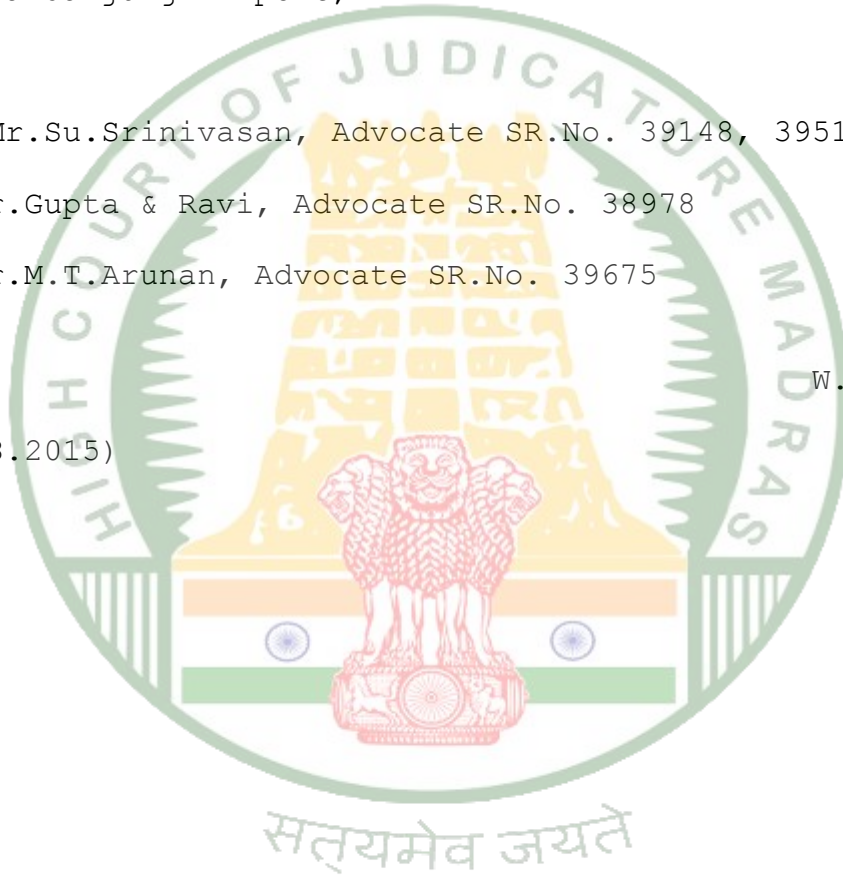
2 CCs to Mr.Su.Srinivasan, Advocate SR.No. 39148, 39518

1 CC to Mr.Gupta & Ravi, Advocate SR.No. 38978

1 CC to Mr.M.T.Arunan, Advocate SR.No. 39675

W.A.No.958 of 2006

PUR (CO)
PSI (11.08.2015)



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