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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 3738/2016 & CM No.15915/2016

ALL INDIA CIVIL AVIATION EMPLOYEES UNION

..... Petitioner

Through: Mr.Naresh Kaushik, Adv.

versus

CHAIRMAN & MANAGING DIRECTOR (PAWAN HANS LTD.)

AND ORS

..... Respondents

Through: Mr.S.K. Taneja, Sr. Adv. with
Mr.Puneet Taneja, Adv. for R-1.
Ms.Anjana Gosain with Mr.Vishu
Agrawal, Advs. for R-2 & 3.

CORAM:

HON'BLE MR. JUSTICE V.P.VAISH

ORDER

% **05.05.2016**

The petitioner has filed the present petition seeking following prayers:-

“(a) Allow the present writ petition;

(b) Issue a writ of certiorari for quashing the impugned advertisements/notifications/office circulars dated 16.09.2015 published in Times of India, 3-9.10.2015 published in Employment Newspaper, 02.12.2015 published in Times of India, Circular No.3242/11/2015/1457 dated 19.11.2015, Circular No.326/11/2015 dated 30.11.2015, Circular No.328/12/2015/1457 dated

16.12.2015, Circular No.330/2016 dated 11.01.2016, Circular No.332/02/2016/1457/6565 dated 01.02.2016, Circular No.333/02/2016/1457/7047 dated 04.04.2016;

- (c) A writ of mandamus directing the respondents to formulate the recruitment policy for promotion of non-executive level (wc-9) to executive level.
- (d) A writ of mandamus directing the MoCA to initiate a high-level enquiry against the erring official of Management who are involved in flouting the RPT Policy in making the unwanted recruitment from the open market.”

Learned counsel for the petitioner submits that the issue of wage revision was put up before the Board of Directors (hereinafter referred to as ‘BoD’) in its meeting held on 01.02.2011 and in the said meeting the BoD approved the proposal regarding the wage revision w.e.f. 01.01.2007 along with the direction that the same may be sent to Ministry of Civil Aviation (hereinafter referred to as ‘MoCA’) for their approval. The MoCA approved the revision of scale pay vide letter bearing No. AV.30020/034/2008-DG dated 09.08.2011. Learned counsel for the petitioner also submits that several meetings were held between the Management and petitioner’s Union to discuss the issues of career progression and wage revision. Thereafter, the petitioner Union served the strike notice dated 09.09.2015 to the Management.

Mr.Naresh Kaushik, learned counsel for the petitioner submits that the petitioner made representations dated 16.09.2015, 30.09.2015 and 28.01.2016, but the representations have not been decided by respondent No.1 so far.

Mr.Puneet Taneja, learned counsel for respondent No.1 on appearing on advance notice submits that certain appointments have been made to the post of E-2 which is disputed by learned counsel for the petitioner.

Learned counsel for respondent No.1 also submits that the representations dated 16.09.2015, 30.09.2015 and 28.01.2016 of the petitioner will be decided within a period of two weeks after affording an opportunity of hearing to the petitioner.

Mr.Naresh Kaushik, learned counsel for the petitioner is satisfied with the aforesaid and submits that the petition and application may be disposed of.

In view of the submissions made by learned counsel for respondent No.1, it is deemed appropriate to dispose of the petition and application with the direction that the respondent No.1 shall decide the representations of the petitioner dated 16.09.2015, 30.09.2015 and 28.01.2016 within a period of two weeks by passing a speaking order and the decision thereof shall be communicated to the petitioner within one week thereafter.

Accordingly, the petition as well as application stand disposed of.

V.P.VAISH, J

MAY 05, 2016/gm