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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 6919/2016 & CM No. 28388/2016**
CAPT KRISHANVIR NAGRATH Petitioner
Through: Mr. Sunil Kumar, Sr. Advocate with Mr.
Rohini Prasad, Advocates.

versus

UNION OF INDIA AND ORS Respondents
Through: Ms Anjana Gosain and Mr Srikant
Misra, Advocates for R-1.
Ms Bhavna Dhami, Advocate for R- 2 to 6.

CORAM:
HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER
% **08.08.2016**

CM No. 28388/2016 (Exemption)

Allowed subject to all just exceptions.

WP(C) No. 6919/2016

Ms. Anjana Gosain, learned counsel who appears on advance notice on behalf of Respondent no.1, states that the Petitioner has already pursued the matter regarding payment of arrears of salary before the High Court of Bombay. However, the petition was withdrawn.

The present petition seeks the same relief. It also impugnes dismissal from service by way of punishment by order dated 30th July, 2015 by the respondent Air India Ltd., pursuant to disciplinary proceedings initiated on 16th October, 2012.

The learned Senior Advocate for the Petitioner submits that an appeal is pending before the Board of Directors of the Air India Ltd.

The Court is *prima facie* of the view that since the appeal against order of

dismissal is pending, the writ petition is premature.

The learned counsel for Air India Ltd. submits that without prejudice to her contention that the writ petition is not maintainable, the Board of Directors shall take a view in the appeal within three months from today.

Let it be so done.

The petition stands disposed off with the above directions.

NAJMI WAZIRI, J

AUGUST 08, 2016/KK