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

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LPA 40/2017

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Date of decision : 19th April, 2017

JAGDISH SINGH

..... Appellant

Through: Mr. Saket Sikri, Adv. for
Kamgar Sangathan

versus

INDIAN AIRLINES & ORS

..... Respondent

Through: Mr. Lalit Bhasin, Ms. Ratna
Dwivedi Dhingra and Ms.
Bhavna Dhami, Advs.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE ANU MALHOTRA

JUDGMENT (ORAL)

ACTING CHIEF JUSTICE

1. The appellant assails the order dated 9th December, 2016 passed in W.P.(C) No.670/2006 whereby the appellant's application for early hearing was rejected.
2. It appears that apart from W.P.(C) No.670/2006 filed by the present appellant, one Kamgar Sangathan has filed W.P.(C) No.5202/2010 raising the same issues as have been raised in W.P.(C) No.670/2006.
3. Aggrieved by orders dated 5th October, 2010 passed in W.P.(C) No. 5202/2010, an intra-court appeal bearing LPA No. 784/2010 was

filed. This appeal was disposed of by an order dated 3rd February, 2011 by the Division Bench directing the learned Single Judge seized of W.P.(C) No. 5202/2010 to expeditiously dispose it off.

4. It is not disputed on behalf of the respondents that W.P.(C) Nos.670/2006 and 5202/2010 raised similar issues of fact and law and deserve to be heard together. The order dated 3rd February, 2011 of the Division Bench in LPA No. 6784/2010 mandates expeditious hearing of W.P.(C) No.5202/2010. Therefore, hearing in W.P.(C) No.670/2006 gets automatically expedited.

5. In view thereof, the order dated 9th December, 2016 rejecting the appellant's prayer for expedited hearing would require to be set aside and quashed. It is ordered accordingly.

The appeal is disposed of with a further direction that W.P.(C) Nos.670/2006 and 5202/2010 would be heard together and disposed of at the earliest convenience of the learned Single Judge.

List these two writ petitions for directions before the appropriate Bench as per roster on 1st May, 2017.

Dasti to parties.

ACTING CHIEF JUSTICE

ANU MALHOTRA, J

APRIL 19, 2017/kr