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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

LETTER PATENT APPEAL NO. 119 OF 2009

Mumbai International Airport Private Limited ... Appellant
V/s.
Indian Airport Kamgar Union and Ors. ... Respondents

Mr. Farid Karachiwala a/w Mr. Mahek Chheda i/b. Wadia Ghandy & Co.
for the Appellant.

Ms. Jane Cox a/w Ms. Karishma Rao for the Respondent No.3.

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CORAM : A.S.OKA AND M.S. SONAK, JJ.
DATE : 23rd AUGUST 2018.

P.C. :

1 Called out for final hearing. In this appeal the challenge is to the order dated 13th April 2009 passed by the learned Single Judge in writ petition filed by the Airport Authority of India as well as the present appellant. Two writ petitions were disposed of by the impugned judgment and order. Writ petitions were directed against an interim order passed by the Central Government Industrial Tribunal (for short "CGIT") pending the final disposal of the main matters.

2 By a detailed judgment and order dated 23rd April 2009, the Division Bench of this Court granted interim relief in Civil Application No.144 of 2009 pending the final disposal of the Letters Patent Appeal. It is pointed out by the learned counsel appearing for the appellant and the learned counsel appearing for the third respondent that the interim order

of this Court has been confirmed by the Apex Court and therefore, they have no objection for disposing of the appeal by continuing the interim relief granted by the Division Bench till the disposal of the reference No.CJIT-2/23 of 2008. This request which is reasonable which is not opposed by any other respondents deserves to be accepted as the main reference is pending before CGIT.

3 Accordingly, we dispose of the Letters Patent Appeal by passing the following order :-

ORDER

- (i) Interim order dated 23rd April 2009 passed in the Letters Patent Appeal shall continue to operate till the disposal of the reference No.CJIT-2/23 of 2008;
- (ii) We make it clear that reference shall be decided by the CGIT on its own merits without being influenced by the tentative findings recorded by this Court;
- (iii) Appeal is disposed of on above terms.

(M.S. SONAK, J.)

(A.S.OKA, J.)