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

+ LPA 42/2018

JAGDISH SINGH

..... Appellant

Through: Mr Anshu Mahajan, Adv.

Versus

INDIAN AIRLINES LTD & ORS

..... Respondents

Through: Mr Lalit Bhasin, Ms Bhavna Dhami and
Mr Ajay Pratap Singh, Advs for R-1
Ms Saroj Bidawat, Adv for R-3/UOI

+ LPA 505/2017

JAGDISH SINGH

..... Appellant

Through: Mr Anshu Mahajan, Adv.

Versus

INDIAN AIRLINES & ORS

..... Respondents

Through: Mr Lalit Bhasin,
Ms Bhavna Dhami and Mr Ajay Pratap Singh, Advs
for R-1
Ms Saroj Bidawat, Adv for R-3/UOI

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

% **01.02.2018**

**CM APPL. 3889/2018 (Condonation of delay 29 days in filing of
appeal) in LPA 42/2018**

In view of the averments made in the application, the delay in
filing the appeal is condoned.

The application is disposed off.

CM APPL. 3888/2018 (exemption) in LPA 42/2018

Exemption allowed, subject to all just exceptions.

The application is disposed off.

LPA 42/2018

Issue notice. Counsel, as above, accept notice on behalf of the respondents.

LPA 42/2018 and LPA 505/2017

Learned counsel appearing on behalf of the parties invite our attention to the circumstance that by way of order dated 25.09.2017 in LPA No.637/2017 titled as '*Indian Airlines Kamgar Sangthan vs. National Aviation Company of India Ltd. & Anr.*'; which arose in similar circumstances and is predicated on the same issue, a Division Bench of this Court, was pleased to set aside the impugned judgment in that petition and remit the same to the learned Single judge for further proceedings in accordance with law.

It is relevant to observe that in both the petitions the learned Single Judge without embarking on a determination of the issues raised therein on the merits, had disposed off the same by directing the respective petitioners to make a representation to the official respondents.

In view of the foregoing and with the consent of counsel for the parties, the orders impugned in the present appeals, which have been rendered at different stages, are set aside and the writ petitions are remanded back to the learned Single Judge for *de novo* proceedings in accordance with law; from the stage at which the impugned order was rendered.

List before learned Single Judge, as per Roster, for directions on 19.02.2018.

With the above directions, the appeals are disposed off.

SIDDHARTH MRIDUL, J

DEEPA SHARMA, J

FEBRUARY 01, 2018/bg