

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

*Date of Order: April 23, 2018*

+ **W.P.(C) 3972/2018 & CM 15673/2018**

BAJAJI D. AND ANR. .... Petitioners

Through: Mr. Suresh Tripathy,  
Advocate

Versus

AIR INDIA ENGINEERING SERVICES LTD (AIESL) AND  
ANR. .... Respondents

Through: Ms. Suruchi Suri, Advocate  
for respondent No.1  
Mr. Roshan Lal Goel and Mr. Rishesh  
Mani Tripathi, Advocates for respondent  
No.2-UI

**CORAM:**

**HON'BLE MR. JUSTICE SUNIL GAUR**

**ORDER**  
**(ORAL)**

1. This Court vide order of 4<sup>th</sup> April, 2018 had directed first respondent to consider petitioners' Representation of 22<sup>nd</sup> May, 2017 and 18<sup>th</sup> January, 2018 regarding sending of petitioners on Director General Civil Aviation Approved B-1 course conducted by respondents.

2. Impugned order of 10<sup>th</sup> April, 2018 (*Annexure P-5*) decides petitioners' Representation without addressing the issue raised in the Representation. All that has been said in impugned rejection order (*Annexure P-5*) is that petitioners were inducted as AME-Trainees in JEOC (Jet Engine Overhaul Complex) w.e.f. 27<sup>th</sup> July, 2017 and 29<sup>th</sup> July, 2017 and thereafter, they had undergone various specialized trainings pertaining to JEOC, as detailed in impugned rejection order.

3. Learned counsel for petitioners submits that it has not been explained in impugned rejection as to why petitioners cannot be sent on B-1 Course and petitioners' prayer for imparting them training under B-1 Course has not been addressed and that it has also not been explained in impugned rejection order as to why petitioners cannot be transferred from JEOC to Line Maintenance.

4. Learned counsel for respondent No.1 submits that although petitioners were appointed on the post of Trainee Aircraft Maintenance Engineer, but as per appointment letter of 6<sup>th</sup> March, 2017, the Management of respondent reserved all rights to take any decision with regard to training and appointment of petitioners as Aircraft Engineer, if so necessitated.

5. During the course of hearing, learned counsel for petitioners alleged discrimination by pointing out that *Jadu Bansh Mishra* and *Rajesh Singh*, who are much junior to petitioners, have been sent to B-1 Course, but petitioners are being discriminated by not being sent on the said Course. It is clarified by learned counsel for respondent No.1 that *Jadu Bansh Mishra* and *Rajesh Singh* were from Operations and not from JET Maintenance. Learned counsel for petitioners submits that initially, *Jadu Bansh Mishra* and *Rajesh Singh* were in JET Operations and later on, they had been shifted to Aircraft Maintenance and there is no reason why petitioners cannot be also shifted to Aircraft Maintenance.

6. Upon hearing and on perusal of impugned order, I find that petitioners' Representations (*Annexure P-3*) have not been duly

considered as no reason is given in impugned order as to why petitioners cannot be shifted from JEOC to Line Maintenance.

7. In view of aforesaid, impugned order (*Annexure P-1*) is set aside with direction to first respondent to reconsider petitioners' Representations (*Annexure P-3*) within a period of four weeks from today and convey the fate of Representations to petitioners within a week thereafter, so that they may avail of the remedies as available in law, if need be.

8. With aforesaid directions, this petition and the application are disposed of.

Copy of this order be given *dasti* to counsel for the parties.

(SUNIL GAUR)  
JUDGE

APRIL 23, 2018

S