

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of Order: May 29, 2018
+ **W.P.(C) 5929/2018 & CM 23151/2018**

ASWINI KUMAR GOSWAMI & ORS Petitioners
Through: Mr. Manoj Gupta, Advocate

versus

UNION OF INDIA & ORS Respondents
Through: Ms. Shalini Nair, Ms. Anjana
Gosain and Ms. Rabiya Thakur, Advocates for
respondent No.1
Ms. Ratna D. Dhingra, Ms. Bhavna Dhami and
Mr. Ajay Pratap Singh, Advocates for
respondents No.2, 4 to 8

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. Petitioners claim that they were given fixed term contract engagement as Assistant Controllers by third respondent-Air India Air Transport Services Limited (hereafter referred to as 'AIATSL') for a period of three years. Although the *Fixed Term Contract Engagement Agreement (Annexure P-2 colly.)* does not contain any clause for renewal, but petitioners' counsel asserts that petitioners' aforesaid Contract has been renewed from time to time and the last renewal was on 15th March, 2018 for a period of three months.

2. It is pointed by petitioners' counsel that the transfer of contract from AIATSL to Air India was sought by petitioners in May, 2018, but there is no response to the said request for transfer of contract.

3. It is evident from *Annexure P-3* that renewal of contract of Assistant Controllers for a period of one year was undertaken to await new terms and conditions of renewal.

4. Upon hearing and on perusal of material on record, I find that the request for transfer of contract from *AIATSL* to Air India has been made by few of petitioners. It is deemed appropriate to dispose of this petition and the application with permission to petitioners to make individual applications seeking transfer of contract from *AIATSL* to Air India within a period of two weeks from today. If any such applications are received by fourth respondent from petitioners, then the same be considered as per the applicable rules and regulations within a period of four weeks and a speaking response on these applications be given by fourth respondent and the fate of these applications be conveyed to petitioners within a week thereafter, so that petitioners may avail of the remedies as available in law, if need be.

5. 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

MAY 29, 2018

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