

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 875 OF 2011

Jeetendra Krishna Varma

....Petitioner

Versus

(1) AIR INDIA LTD & Anr.

....Respondents

**WITH
WRIT PETITION NO. 1427 OF 2015**

Mayank Mohan Sharma

....Petitioner

Versus

1. Air India Ltd. & Ors.

....Respondents

Mr.Ashok D. Shetty along with Mr. Swapnil Kamble, Dr. S. N. Jadhav,
Advocates for Petitioner in WP/1427/2015.

Mr.Mohan Bir Singh along with Mr Rahul Jalan i/by M/s. MBS & Co.,
Advocates for Petitioner in WP/875/2011.

Mr. Lancy D'souza, Ms. Kavita Anchan, Ms. Deepika Agarwal, Ms. Heena
Shaikh i/by M/s. M. V. Kini & Co., Advocates for Respondent No.1 in both
Writ Petitions.

Ms.Neeta Masurkar along with Mr. D. A. Dubey along with Ms. Nieyaati
Masurkar, Advocates for Respondent No.4 in WP/1427/2015.

**CORAM : B.R. GAVAI &
N. J. JAMADAR, JJ**

Date : 25th FEBRUARY 2019

P.C. :

1 At this stage, Shri D'souza, the learned counsel for Respondent No.1

prays for stay of the judgment in both the petitions, dated 25th February 2019, for a period of six weeks from today.

2 Shri Shetty, learned counsel for the petitioner in Writ Petition No. 1427 of 2015 and Shri Mohan Bir Singh, learned counsel for the petitioner in Writ Petition No. 875 of 2011 vehemently oppose the prayer for grant of stay and submit that since the view taken by this Court in the judgment and order is on the basis of law laid down by the Apex Court, there is no necessity to stay the judgment and order dated 25th February 2019. However, Shri Shetty and Shri Mohan Bir Singh make a statement that they will not report to the Respondent No.1-Employer for reinstatement for a period of four weeks.

3 In view of this statement made by Shri Shetty and Shri Mohan Bir Singh, we find that there is no imminent exigency to stay the judgment pronounced today. In so far as the back-wages are concerned, we have already granted a period of two months from today.

[N.J. JAMADAR, J.]

[B.R. GAVAI, J.]