

08.07.2025
Item No.6
Ct. No. 30
Aloke

WPA 26365 of 2024

**Airports Authority of India
Vs
Union of India & Anr.**

Mr. Ayan Poddar
Ms. Khusboo Ruia
... for the petitioner

Mr. Bishambar Jha
Ms. Amrita Pandey
Mr. Sourav Mondal
... for the Union of India

1. Affidavit-in-reply filed be kept with the record.
2. The writ application has been preferred praying for direction upon the respondent no. 2 being the Central Advisory Contract Labour Board (CACLB) to deliver and make available copy of recommendation of the report of the sub-committee along with full details and to provide an opportunity of hearing before the full committee of the respondent no. 2 after delivery of copy of recommendation of sub-committee.
3. The petitioner has further prayed for direction upon the respondent no. 2/CACLB to quash and set aside Letter No. F.16014/05/2023-LW(B)-Part dated 16.08.2024.
4. On hearing the learned counsels for the parties and on perusal of the materials on record,

it appears that the petitioner was duly represented during the hearing.

5. It is the contention of the petitioner that though they were represented and made oral submission for copy of the report, nothing was handed over to them and, as such, they could not place their case on the basis of the report before the authority.
6. On 31.07.2024 the petitioner made a formal written complaint asking for a copy of the recommendation made by the Committee. The relevant portion of the said application dated 31.07.2024 is as follows :

“Pursuant to the meeting held on 30.07.2024, it is understood that the Sub-Committee has made certain recommendations on the subject issue. A copy of the same was also shown to the officers of AAI who were present in the said meeting. However, neither the details of the report were revealed based on which the recommendations were arrived at nor the same were deliberated in the meeting held on 30.07.2024 so that AAI could have got an opportunity to plead.

In this view, it is requested that your good office may kindly provide to the AAI, at the earliest, a copy of recommendations made by the sub-committee so that facts and relevant details can be placed before your good office for final decision.

*This is for your kind consideration
please.*

*Yours faithfully,
Member (Human Resources)
Airports Authority of India.”*

7. It appears that the Member (Human Resources), Airports Authority of India, vide letter dated 31.07.2024 requested for a copy of the recommendation made by the Sub-Committee stating that a prayer for final consideration could be made. On receiving the same a final prayer was made on 16th August, 2024, wherein the prayer was rejected by the Secretary, CACLB, wherein it appears that the Chairman has stated as follows :

*“Full opportunity was given to both the parties in the hearing held on 02.05.2024 and 30.07.2024. During the hearing on both the dates, the representative of Airport Authority of India has not lodged any objection regarding not giving him/her opportunity for hearing. **And after the hearing before the Board has been completed, the Board has given its recommendation.** In such circumstances, reconsideration at the level of the Chairman is not possible.”*

8. Considering the contents of the letter dated 16th August, 2024, this Court finds no irregularity in the same and, as such, the prayer of the petitioner to quash the same cannot be allowed considering that this is a reply to the representation made by the petitioner.

9. Admittedly, the final recommendation has been submitted and it is the recommendation which is to be challenged, a copy of which is already with the petitioner, as he has made a representation on the basis of the recommendation.
10. The respondent authorities in their report in the form of affidavit have also annexed a copy of the recommendation and served the same upon the petitioner.
11. Considering all these facts and the materials on record, this Court is of the view that it is the recommendation which is to be challenged by the petitioner and at this stage as the said recommendation has not been challenged, the writ application having no merit stands dismissed.
12. Petitioner is at liberty to challenge the final recommendation made in the proceedings between the parties.
13. Connected application, if any, stand disposed of.
14. Interim order, if any, stands vacated.
15. Urgent Photostat certified copy of this order, if applied for, be given to the parties, upon usual undertakings.

(Shampa Dutt (Paul), J.)