

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6869 OF 2003**

Kuwait Airways Corporation

...Petitioner

V/s.

Kuwait Airways Corporation
Employees Union

...Respondent

**WITH
INTERIM APPLICATION NO.14725 OF 2024 IN
WRIT PETITION NO.6869 OF 2003**

Arvind Parshuram Parkar, Mumbai
and Ors.

...Applicants

In the matter between
Kuwait Airways Corporation

...Petitioner

V/s.

Kuwait Airways Corporation
Employees Union

...Respondent

Mr. Subrata Sen for M/s. Fox Mandal and Partners for the
Petitioner.

Ms. Jane Cox with Mr. Ghanshyam Thombare and Mr. Netaji
Gawade i/b. M/s. Sanjay Udeshi and Co. for the Respondent.

Mr. Umesh Shetty, Senior Advocate with Ms. Pranita V. i/b. Ms.
Sonali P. Unekar for the Applicant in IA/14725/2024.

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SHREEDHAR
PARAB

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MEGHA SHREEDHAR
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CORAM : SANDEEP V. MARNE, J.

Dated : 10 January 2025.

P.C. :

1) It appears that order of the Labour Court directing reinstatement and backwages covered 69 workmen of the Respondent -Union. The order of the Labour Court contemplated reinstatement of services of those 69 workmen w.e.f. 29 October 2001 with continuity and full backwages.

2) This Petition is pending since last 23 long years. When the Petition is called out for final hearing today and after the learned counsel appearing for rival parties are briefly heard, it transpired that out of the 69 workers, the Petitioner has settled the disputes with 56 workers and have paid them varying amount of compensation towards full and final settlement of the disputes. Only 13 workmen are now left out, who possibly did not settle the disputes earlier on account of disagreement over the amount of compensation offered to them. It appears that in addition to 69 workers covered by the present reference there was another set of 55 workers covered by a separate reference and the said 55 workers have also settled their disputes with the Petitioner-Airline. This is how out of the total 124 workers, 111 workers have already settled the disputes and the present Petition has remained pending only in respect of the 13 workers. It is therefore, ideal that the Petitioner-Airline puts a full stop to this long drawn litigation by offering appropriate compensation to the remaining 13 workers as well. To enable the Petitioner to

settle the dispute of the remaining 13 workers final hearing of the present Petition is deferred till 6 February 2025 by which time it is expected to settle the disputes with the remaining 13 workers as well. While offering the amount of compensation to the remaining 13 workers, the Petitioner -Airline shall take into consideration the amount of compensation offered and paid to the other 111 workers together with the element of inflation.

- 3) List the Petition for final hearing and possible settlement on 6 February 2025.

[SANDEEP V. MARNE, J.]