2026:AHC:209092

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 7798 of 2018

Rajendra Kumar Misra

.....Petitioner(s)

Versus

M/S Hindustan Aeronautics Limited Transport Aircraft Division And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Pramod Kumar Srivastava
Counsel for Respondent(s)	:	C.S.C., Diptiman Singh

Court No. - 36

HON'BLE SAURABH SHYAM SHAMSHERY, J.

1. This writ petition is pending since 2018.

2. None appeared on behalf of petitioner. Even no rejoinder affidavit has been filed.

3. Hindustan Aeronautics Ltd. is represented by Sri Samarth Sharma, Advocate holding brief of Sri Diptiman Singh, learned counsel for the contesting respondent.

4. Facts which are not under dispute are that on a reference by the State Government, an industrial dispute was referred as to whether the services of contesting respondent were legally terminated or not.

5. A preliminary objection was raised on the jurisdiction that in the case of Hindustan Aeronautics Ltd., appropriate Government would be the Central Government.

6. Objection filed by the contesting respondent was found justified, therefore, by the impugned order dated 10.9.2012 an award was passed that no consideration can be made on the referred industrial dispute. It appears that contesting respondent/workman was not aware about the aforesaid order, therefore, he filed an application to consider the award on merit, which was rightly rejected vide an order dated 1.12.2017.

7. The petitioner thereafter challenged all the orders including the order dated 7.9.2012 in present writ petition.

8. Learned counsel for the contesting respondent has placed reliance on a judgment passed by this Court in **Suraj Narain Bhatt Vs. State of U.P. & Ors, 2008 (117) FLR 24,** wherein it has been held that appropriate Government for Hindustan Aeronautics Ltd. would be the Central Government and not the State Government, therefore, Court finds that there is no illegality in the impugned order.

9. Learned counsel for the contesting respondent further informed that meanwhile contesting respondent has approached the Central Government for reference of industrial dispute and a fresh industrial dispute has already been referred where the pleadings have been exchanged, therefore, this may be a ground that petitioner is not interested to pursue the case.

10. In above circumstances, wherein fresh industrial dispute is already referred by the Central Government, this writ petition has essentially become infructuous.

11. Writ Petition is accordingly disposed of.

12. A copy of this order be sent to the petitioner at his given address.

13. Registrar (Compliance) to take steps.

(Saurabh Shyam Shamshery,J.)

October 6, 2026
SB

Digitally signed by :-
SANDEEP BHATTACHARYA
High Court of Judicature at Allahabad