

ITEM NO.7

COURT NO.5

SECTION XVII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No. 31664/2019

(Arising out of impugned final judgment and order dated 21-02-2019 in IB No. 1542(ND)/2018 passed by the National Company Law Tribunal, New Delhi)

CAPTAIN ANANT DEWAN

Petitioner(s)

VERSUS

M/S AIR INDIA LIMITED

Respondent(s)

(With IA No.153811/2019-CONDONATION OF DELAY IN FILING and IA No.153812/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 18-10-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN
HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

For Petitioner(s)

Mr. Gopal Sankarnarayanan, Sr. Adv.
Mr. Aditya Verma, AOR
Mr. Shrey Patnaik, Adv.
Mr. Vishal Sinha, Adv.

For Respondent(s)

Dr. Lalit Bhasin, Adv.
Ms. Nina Gupta, Adv.
Ms. Palak Chadha, Adv.
Ms. Ruchika Joshi, Adv.
Mr. P. V. Yogeswaran, AOR

UPON hearing the counsel the Court made the following
O R D E R

Delay in filing the special leave petition is
condoned.

We have been informed by the learned counsel for the
respondent that issues though relatable to Section 9A of the
Industrial Disputes Act, 1947 would have a vital bearing on

payments to be made ultimately to the petitioner as a pilot and are pending in this Court.

It is open for Air India to take this up as a defence in the application that is filed by the petitioner before the NCLT. The NCLT order, therefore, is set aside and the NCLT will now go into the Section 9 application filed by the petitioner afresh, after considering objections by the respondent.

The special leave petition stands disposed of accordingly.

(NIDHI AHUJA)
COURT MASTER (SH)

(NISHA TRIPATHI)
BRANCH OFFICER