

Bajaji D. And Anr. Vs.air India Engineering Services Ltd (Aiesl) and Anr.

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Court : Delhi

Decided On : Apr-23-2018

Appellant : Bajaji D. And Anr.

Respondent : Air India Engineering Services Ltd (Aiesl) and Anr.

Judgement :

* IN THE HIGH COURT OF DELHI AT NEW DELHI + Date of Order: April 23, 2018 W.P.(C) 3972/2018 & CM156732018 BAJAJI D. AND ANR. Versus Through: Mr. Suresh Tripathy, Advocate

... Petitioner

s AIR INDIA ENGINEERING SERVICES LTD (AIESL) AND ANR.Respondents
Through: Ms. Suruchi Suri, Advocate for respondent No.1 Mr. Roshan Lal Goel
and Mr. Rishesh Mani Tripathi, Advocates for respondent No.2-UI CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

(ORAL) 1. This Court vide order of 4th April, 2018 had directed first respondent to consider petitioners Representation of 22nd May, 2017 and 18th January, 2018 regarding sending of petitioners on Director General Civil Aviation Approved B-1 course conducted by respondents.

2. Impugned order of 10th April, 2018 (Annexure P-5) decides petitioners Representation without addressing the issue raised in the Representation. All that

has been said in impugned rejection order (Annexure P-5) is that petitioners were inducted as AME-Trainees in JEOC (Jet Engine Overhaul Complex) w.e.f. 27th July, 2017 and 29th July, 2017 and thereafter, they had undergone various specialized trainings pertaining to JEOC, as detailed in impugned rejection order. W.P.(C) 3972/2018 Page 1 of 3 3. Learned counsel for petitioners submits that it has not been explained in impugned rejection as to why petitioners cannot be sent on B-1 Course and petitioners prayer for imparting them training under B-1 Course has not been addressed and that it has also not been explained in impugned rejection order as to why petitioners cannot be transferred from JEOC to Line Maintenance.

4. Learned counsel for respondent No.1 submits that although petitioners were appointed on the post of Trainee Aircraft Maintenance Engineer, but as per appointment letter of 6th March, 2017, the Management of respondent reserved all rights to take any decision with regard to training and appointment of petitioners as Aircraft Engineer, if so necessitated.

5. During the course of hearing, learned counsel for petitioners alleged discrimination by pointing out that Jadu Bansh Mishra and Rajesh Singh, who are much junior to petitioners, have been sent to B-1 Course, but petitioners are being discriminated by not being sent on the said Course. It is clarified by learned counsel for respondent No.1 that Jadu Bansh Mishra and Rajesh Singh were from Operations and not from JET Maintenance. Learned counsel for petitioners submits that initially, Jadu Bansh Mishra and Rajesh Singh were in JET Operations and later on, they had been shifted to Aircraft Maintenance and there is no reason why petitioners cannot be also shifted to Aircraft Maintenance.

6. Upon hearing and on perusal of impugned order, I find that petitioners Representations (Annexure P-3) have not been duly W.P.(C) 3972/2018 Page 2 of 3 considered as no reason is given in impugned order as to why petitioners cannot be shifted from JEOC to Line Maintenance.

7. In view of aforesaid, impugned order (Annexure P-1) is set aside with direction to first respondent to reconsider petitioners Representations (Annexure P-3) within a period of four weeks from today and convey the fate of Representations to

petitioners within a week thereafter, so that they may avail of the remedies as available in law, if need be.

8. With aforesaid directions, this petition and the application are disposed of. Copy of this order be given dasti to counsel for the parties. (SUNIL GAUR) JUDGE
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