

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****ORDINARY ORIGINAL CIVIL JURISDICTION****WRIT PETITION NO. 385 OF 2012**

Indian Airport Kamgar Union

...Petitioner

vs.

The Chairman, Airports Authority of India and others

..Respondents

Ms. Gayatri Singh for the petitioner.

Mr. Satish Upadhyay, instructed by M/s. M.V. Kini &amp; Co., for respondent No.1.

Mr. R.A. Dada, Senior Advocate, with Mr. Bhavik Manek, instructed by M/s. Wadia Ghandy &amp; Co., for respondent No.2.

Mr. K.R. Choudhari with Mrs. S.V. Bharucha for Union of India.

**CORAM: P.B. MAJMUDAR &  
R.D. DHANUKA, JJ.****DATE: MARCH 26, 2012.****P.C.**

Learned counsel for the petitioner states that there are three categories of employees involved in this matter. The first category is in connection with those employees who have been transferred but not offered alternate place at the transferred place. The second category is those who have retired and the third category is the employees who are not transferred. In our view, a petition like the similar one cannot be filed by a Union as the matter is required to be considered from individual angle of the concerned employees. In view of the above, the learned counsel for the petitioner states that she may be permitted to withdraw this petition in order to enable her to file a substantive petition through concerned employees. Permission to withdraw the

petition is granted. Petition is disposed of as withdrawn.

2. It is not necessary to grant any interim relief as the impugned notice clearly states that if the concerned employees fail to vacate the premises, appropriate action will be taken in accordance with law. The authority is, therefore, permitted to proceed in accordance with law. However, eviction of the concerned employees from the quarters may not be effected for a period of three weeks from today.

**P. B. MAJMUDAR, J.**

**R.D. DHANUKA, J.**