



2025:DHC:5576



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Date of Decision: 09.07.2025

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W.P.(C) 9588/2020 & CM APPL. 30749/2020

AIRPORTS AUTHORITY EMPLOYEES UNION THROUGH ITS
GENERAL SECRETARYPetitioner

Through: Ms. Inderjeet Sidhu, Advocate.

versus

AIRPORTS AUTHORITY OF INDIA THROUGH ITS CHAIRMAN
& ANR.Respondents

Through: Mr. Digvijay Rai, Mr. Archit Mishra,
Advocates with Mr. Yatinder
Choudhary, Law Officer and Mr.
Jayesh Bhargava, JE (Law).

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

TARA VITASTA GANJU, J.: (Oral)

1. The present Petition has been filed *inter alia* seeking the following relief:

“i) Set-aside and/or quash the impugned discriminatory and arbitrary order dated 21.10.2020 (Annexure-P-3) issued by Respondent No.1 after notice to the respondents;

ii) Stay the operation of the said order/decision pending disposal of this writ petition.”

2. Learned Counsel for the Respondents submit that the Petition has become infructuous. It is contended that the challenge in the present Petition was to a grant of recognition to the majority union in Airports Authority of India. He submits that the recognition was granted on 16.02.2018 to the Union that succeeded in the Secret Ballot Referendum held, pursuant to which that Union was recognised as the recognised Union/sole bargaining Union for a period of 5 years. Reliance is placed on the document which is



annexed as Annexure P-2 along with the Petition in this behalf, which reads as under:

“16.02.2018

xxx

xxx

xxx

Sub: Grant of recognition to majority Union in Airports Authority of India

Sir,

In accordance with the result of Secret Ballot Referendum held on 07.02.2018 in AAI (on all India basis), Airports Authority Employees' Union (Regn. No.3515), with the symbol "Jhanda" is declared as "Majority Union" of Airports Authority of India.

2 Accordingly, the Airports Authority Employees' Union, who secured highest number of votes (on All India basis) has been declared as 'Recognised Union/sole bargaining union of Airports Authority of India', for a period of five years

3. Letter No.A.60011/72/Union Election/2017-18/IR, dated 16.02.2018 along with terms and conditions of the recognition, issued by Member (HR) to General Secretary, Airports Authority Employees' Union is also attached herewith for information and record.”

[Emphasis Supplied]

3. Learned Counsel for the Respondents further submits that the communication dated 21.10.2020 [hereinafter referred to as the “Impugned Communication”], that was addressed thereafter by the Respondent No.1 to the Respondent No.2, only sets out that the parties may be called for informal discussions. It is thus contended that no rights of the Petitioner have been violated.

4. The record reflects that the only prayer in the present Petition is to set aside the Impugned Communication. The Impugned Communication has been issued in pursuance of recognition of a specific union which would have held office for a period of five years, in pursuance of the letter granting



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them the recognition on 16.02.2018. All that the Impugned Communication records is that the Management will hold informal discussions with all union(s) which have polled more than 30% votes and further directs that copies of the circulars be supplied to such union(s) as well, in the following terms:

“AIRPORT AUTHORITY OF INDIA

No. B-2017/3/2020-HRM/132-94

Dated 21.10.2020

The Chief Secretary,
Indian Airports Kamgar Union,
B-140, Pocket-A, INA Colony,
New Delhi-110023

Subject: Representations received from GS, IAK-reg

Sir,

xxx

xxx

xxx

2. In this regards, it is that **the Competent Authority has accorded approval for:**

(1) **Informal discussion** The Management at CHQ level, at its discretion, **may hold informal discussion with the all India President and General Secretary of the Union(S) having polled more than 30% votes, once in six months** regarding implementation of employee related issue other than involving policy decision.

(ii) **Supply of Circulars/Office Orders** Copies of **Circulars etc may be supplied to the union(s) having polled more than 30% votes.**

xxx

xxx

xxx.”

[Emphasis Supplied]

5. Quite clearly, the Impugned Communication that was issued, was issued on the basis of the Referendum/Elections which were held in the year 2018 and union/office bearers of those elected Union, ceased to function once their term expired in the year 2023. Thus, the communication dated



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21.10.2020 which was issued by the Respondent No.1 would also not extend beyond the term of the Union elected in 2018.

6. Given these circumstances, the challenge in the present Petition is to a communication issued on account of a previous Referendum/Election, which no longer subsists. The Petition is accordingly disposed of as infructuous. The Pending Application stands closed.

7. The parties shall act based on a digitally signed copy of the order.

TARA VITASTA GANJU, J

JULY 9, 2025/pa/ha