

THIS WRIT PETITION COMING ON FOR ORDERS,  
THIS DAY, THE COURT MADE THE FOLLOWING:

**ORDER**

**R.DEVDAS J., (ORAL):**

Since a preliminary objection was raised at the hands of the respondents, including Union of India that when once the Air India Limited is privatized and the entire share holdings are disinvested from the hands of the Government of India and a Private Company has taken over, the grievance of the employees of the Air India Limited cannot be redressed directly under a writ jurisdiction of this Court, the learned Senior Counsel for the petitioners was required to answer this question.

2. It was pointed out that the High Court of Delhi, in the case of ***Dr.Subramanian Swamy Vs. Union of India & Others*** reported in **(2022) SCC OnLine Del 34**, had an occasion to consider the issue regarding disinvestment process, the Union of India

had placed factual information before the Delhi High Court in the matter of disinvestment of Air India Limited.

3. The learned Assistant Solicitor General of India, appearing for the Union of India has pointed out from the said decision that the disinvestment of the shares of the Government of India has been 100% in favour of M/s.Talace Private Limited.

4. From the above, it is clear that the Air India Limited is now a private Company owned by M/s.Talace Pvt. Ltd. The earlier position of Air India Limited which was a fully owned Government of India Company, has changed and it is now a Private Limited Company. Therefore, the grievance of the petitioner in the matter of seniority can be redressed only before the competent authority which can deal with the question and not under Article 226 of the Constitution of India.

5. With these observations, the writ petition stands ***dismissed***, granting liberty to the petitioners to approach the competent authority to redress their grievance in the matter of seniority.

In view of the above, I.A.No.2/2022 for impleading does not survive for consideration and accordingly the same stands disposed of.

Ordered accordingly.

**Sd/-  
JUDGE**

JT/-