

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 120 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 PASSED BY THE LEARNED  
SINGLE JUDGE OF THIS HONOURABLE COURT IN WP(C) 31872 OF 2022

APPELLANT/PETITIONER:

ASHARAF, AGED 56 YEARS, R/AT PULIKIATH HOUSE,  
PALLIPPADI, THNALUR P.O., MALAPPURAM-676 307

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

RESPONDENTS/RESPONDENTS:

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY  
OF CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA  
EXPRESS LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113,  
GURUDWARA RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S. DSG OF IND

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023,  
ALONG WITH WA NO.121/2023 AND CONNECTED CASES, THE COURT ON  
28.02.2023 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 121 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 PASSED BY THE LEARNED

SINGLE JUDGE OF THIS HONOURABLE COURT IN WP(C) 27906 OF 2022

APPELLANT/PETITIONER:

FASALUNNISA SAIFUDDEEN, AGED 35 YEARS, R/AT PADIPATTA  
CHALIL HOUSE, KARUVANPOYIL. P.O., KODUVALLY,  
KOZHIKODE-673 572.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

RESPONDENTS/RESPONDENTS:

1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY  
OF CIVIL AVIATION, NEW DELHI-110 001

2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA  
EXPRESS LTD., DH ROAD, ERNAKULAM, KOCHI-682 016

3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113,  
GURUDWARA RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023,  
ALONG WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON  
28.02.2023 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 140 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 PASSED BY THE LEARNED  
SINGLE JUDGE OF THIS HONOURABLE COURT IN WP(C) 27817 OF 2022

APPELLANT/PETITIONER:

MOHAMMED SALEEL, AGED 31 YEARS, S/O. MOIDEENKUTTY,  
R/AT MALAYIL MARAKKATTIL, CHALIYAR. P.O., KADALUNDI,  
KOZHIKODE-673 301.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

RESPONDENTS/RESPONDENTS:

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY  
OF CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA  
EXPRESS LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113,  
GURUDWARA RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

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AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 141 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 PASSED BY THE LEARNED  
SINGLE JUDGE OF THIS HONOURABLE COURT IN WP(C) 27937 OF 2022

APPELLANT/PETITIONER:

ROSHITH V, AGED 21 YEARS, S/O. MOHANASUNDARAN, R/AT  
VILLODI HOUSE, MUNDOPRAMBA, MALAPPURAM-676 509.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

RESPONDENTS/RESPONDENTS:

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY  
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AND MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA  
EXPRESS LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
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AND MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113,  
GURUDWARA RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 142 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 PASSED BY THE LEARNED  
SINGLE JUDGE OF THIS HONOURABLE COURT IN WP(C) 30596 OF 2022

APPELLANT/PETITIONER:

LAILA RAZAAK, AGED 52 YEARS, W/O. ABDUL RAZAAK,  
RESIDING AT BAITHUL RAYAN, ENGALATH PADAM,  
RAMANTTUKARA P. O, KOZHIKKODE, PIN-673 633.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

RESPONDENTS/RESPONDENTS:

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY  
OF CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA  
EXPRESS LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113,  
GURUDWARA RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

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PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 143 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 PASSED BY THE LEARNED

SINGLE JUDGE OF THIS HONOURABLE COURT IN WP(C) 27814 OF 2022

APPELLANT/PETITIONER:

SANA FATHIMA (MINOR), REPRESENTED HER FATHER  
SAIFUDDEEN, R/AT PADIPATTA CHALIL HOUSE, KARUVANPOYIL  
P.O., KODUVALLY, KOZHIKODE-673 572.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

RESPONDENTS/RESPONDENTS:

1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY  
OF CIVIL AVIATION, NEW DELHI-110 001

2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA  
EXPRESS LTD., DH ROAD, ERNAKULAM, KOCHI-682 016

3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113,  
GURUDWARA RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

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28.02.2023 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 144 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 PASSED BY THE LEARNED  
SINGLE JUDGE OF THIS HONOURABLE COURT IN WP(C) 27805 OF 2022

APPELLANT/PRITIONER:

SAJEEV KUMAR.K.P, AGED 49 YEARS, S/O CHATHU,  
KUNNATHERIPARAMBIL HOUSE, KALPAKANCHERY P.O.,  
MALAPPURAM.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

RESPONDENTS/RESPONDENTS:

1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY  
OF CIVIL AVIATION, NEW DELHI-110 001

2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA  
EXPRESS LTD., DH ROAD, ERNAKULAM, KOCHI-682 016

3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113,  
GURUDWARA RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023,  
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28.02.2023 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 145 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 PASSED BY THE LEARNED  
SINGLE JUDGE OF THIS HONOURABLE COURT IN WP(C) 30604 OF 2022

APPELLANT/PETITIONER:

RIYAS MADAPARAMBATH, AGED 30 YEARS, R/AT  
KULATHAMKUZHIYIL HOUSE, VATTAYAM KAKKATTIL P.O.,  
KOZHIKKODE-673 517.

BY ADVS.  
SHRI KODOTH SREEDHARAN  
SHRI K.P.MUHAMMAD ARIF  
SHRI ABDUL JALEEL.U.K  
SHRI CHACKOCHEN VITHAYATHIL

RESPONDENTS/RESPONDENTS:

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY  
OF CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA  
EXPRESS LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113,  
GURUDWARA RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS  
SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA  
SHRI JOSEPH KODIANTHARA (SR.)  
SHRI ABRAHAM JOSEPH MARKOS  
AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023,  
ALONG WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON  
28.02.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 146 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 PASSED BY THE LEARNED  
SINGLE JUDGE OF THIS HONOURABLE COURT IN WP(C) 27825 OF 2022

APPELLANT/PETITIONER:

SAIFUDDEEN, AGED 44 YEARS, R/AT PADIPATTA CHALIL  
HOUSE, KARUVANPOYIL P.O., KODUVALLY, KOZHIKODE-673  
572.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

RESPONDENTS/RESPONDENTS:

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY  
OF CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA  
EXPRESS LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113,  
GURUDWARA RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023,  
ALONG WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON  
28.02.2023 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 147 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 PASSED BY THE LEARNED  
SINGLE JUDGE OF THIS HONOURABLE COURT IN WP(C) 30755 OF 2022

APPELLANT/PETITIONER:

INSHA (MINOR), REPRESENTED BY HER FATHER MOHAMMED  
SULFIKAR ALI, CHULLIKKULAVAN HOUSE, VADAKKANGARA,  
MANAKKADA P.O., MALAPPURAM-679 324.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

RESPONDENTS/RESPONDENTS:

1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY  
OF CIVIL AVIATION, NEW DELHI-110 001

2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA  
EXPRESS LTD., DH ROAD, ERNAKULAM, KOCHI-682 016

3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113,  
GURUDWARA RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

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AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023,  
ALONG WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON  
28.02.2023 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 156 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 PASSED BY THE LEARNED  
SINGLE JUDGE OF THIS HONOURABLE COURT IN WP(C) 28441 OF 2022

APPELLANT/PETITIONER:

MUHAMMED RAFEEQUE, AGED 41 YEARS, S/O YAHOOTTY HAJI,  
RESIDING AT KARINGAYI HOUSE, KANMANAM, THEKKUMURI  
P.O., MALAPPURAM-676 551.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

RESPONDENTS/RESPONDENTS:

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY  
OF CIVIL AVIATION, NEW DELHI-110 001
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AND MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA  
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AND MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113,  
GURUDWARA RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023,  
ALONG WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON  
28.02.2023 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

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THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 157 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 PASSED BY THE LEARNED  
SINGLE JUDGE OF THIS HONOURABLE COURT IN WP(C) 30575 OF 2022

APPELLANT/PETITIONER:

JIBIN N.C., AGED 31 YEARS, S/O. PURUSHOTHAMAN, NADUVIL  
CHATHOTH KRISHNALAYAM, CHOMBALA P.O VATAKARA VIA,  
KOZHIKODE DISTRICT.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

RESPONDENTS/RESPONDENTS:

1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY  
OF CIVIL AVIATION, NEW DELHI-110 001

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AND MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113,  
GURUDWARA RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

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AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 160 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 PASSED BY THE LEARNED  
SINGLE JUDGE OF THIS HONOURABLE COURT IN WP(C) 30739 OF 2022

APPELLANT/PETITIONER:

FATHIMA RAHMA, AGED 25 YEARS, W/O. SAFVAN VADAKKAN,  
R/AT VATTAKANDATHIL HOUSE, PATHAPPIRIYAM P.O.,  
MALAPPURAM.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

RESPONDENTS/RESPONDENTS:

1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY  
OF CIVIL AVIATION, NEW DELHI-110 001

2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA  
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AND MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113,  
GURUDWARA RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

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ALONG WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON  
28.02.2023 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 163 OF 2023

AGAINST THE JUDGMENT DATED 25.10.2022 PASSED BY THE LEARNED

SINGLE JUDGE OF THIS HONOURABLE COURT IN WP(C) 32409 OF 2022

APPELLANT/PETITIONER:

RENJITH PANANGAD, AGED 35 YEARS, S/O. P.K.NARAYANAN,  
KUTTIYADUKKAM HOUSE, THAZHANNUR P.O., ANANDASRAM,  
KASARAGOD DISTRICT.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

RESPONDENTS/RESPONDENTS:

1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY  
OF CIVIL AVIATION, NEW DELHI-110 001

2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA  
EXPRESS LTD., DH ROAD, ERNAKULAM, KOCHI-682 016

3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113,  
GURUDWARA RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023,  
ALONG WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON  
28.02.2023 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 164 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 PASSED BY THE LEARNED

SINGLE JUDGE OF THIS HONOURABLE COURT IN WP(C) 27823 OF 2022

APPELLANT/PETITIONER:

ZAIN.K.P. (MINOR), AGED 8 YEARS, S/O ANSAD,  
REPRESENTED BY HIS MOTHER SHAHINA, KUNDOTT PARAKKAL  
HOUSE, KARIAVATTOM, MANNARMALA P.O., PERINTHALMANNA,  
MALAPPURAM, PIN-679 325.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

RESPONDENTS/RESPONDENTS:

1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY  
OF CIVIL AVIATION, NEW DELHI-110 001

2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA  
EXPRESS LTD., DH ROAD, ERNAKULAM, KOCHI-682 016

3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113,  
GURUDWARA RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023,  
ALONG WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON  
28.02.2023 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 180 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 PASSED BY THE LEARNED  
SINGLE JUDGE OF THIS HONOURABLE COURT IN WP(C) 27802 OF 2022

APPELLANT/PETITIONER:

RESHMA K, AGED 28 YEARS, W/O SREEJITH, PUTHUPARAMBIL  
HOUSE, VELLERI, PONNANI, MALAPPURAM-679 577.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

RESPONDENTS/RESPONDENTS:

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY  
OF CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA  
EXPRESS LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113,  
GURUDWARA RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023,  
ALONG WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON  
28.02.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 181 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 PASSED BY THE LEARNED

SINGLE JUDGE OF THIS HONOURABLE COURT IN WP(C) 27801 OF 2022

APPELLANT/PETITIONER:

RIYASUDHEEN ABDULLA, AGED 30 YEARS, S/O. ABDULLA, R/AT  
VADAKKAYIL HOUSE, BALUSSERY.P.O., KOYILANDI,  
KOZHIKODE-673 612.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

RESPONDENTS/RESPONDENTS:

1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY  
OF CIVIL AVIATION, NEW DELHI-110 001

2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA  
EXPRESS LTD., DH ROAD, ERNAKULAM, KOCHI-682 016

3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113,  
GURUDWARA RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023,  
ALONG WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON  
28.02.2023 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 182 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 PASSED BY THE LEARNED  
SINGLE JUDGE OF THIS HONOURABLE COURT IN WP(C) 32286 OF 2022

APPELLANT/PETITIONER:

ASHIK, AGED 30 YEARS, PUTHENPEEDIYEKKAL HOUSE,  
KULURMA, PERUMBAL, NANNAMUKKU, MALAPPURAM-679 575.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

RESPONDENTS/RESPONDENTS:

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY  
OF CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA  
EXPRESS LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113,  
GURUDWARA RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023,  
ALONG WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON  
28.02.2023 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 183 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 PASSED BY THE LEARNED

SINGLE JUDGE OF THIS HONOURABLE COURT IN WP(C) 31956/2022

APPELLANT/PETITIONER:

MUHAMMED ZISHAN (MINOR), REPRESENTED BY HIS FATHER  
MOHAMMED SULFIKAR ALI, CHULLIKKULAVAN HOUSE,  
VADAKKANGARA, MANAKKADA P.O., MALAPPURAM-679 324.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

RESPONDENTS/RESPONDENTS:

1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY  
OF CIVIL AVIATION, NEW DELHI-110 001

2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA  
EXPRESS LTD., DH ROAD, ERNAKULAM, KOCHI-682 016

3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113,  
GURUDWARA RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023,  
ALONG WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON  
28.02.2023 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 184 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 PASSED BY THE LEARNED

SINGLE JUDGE OF THIS HONOURABLE COURT IN WP(C) 30683/2022

APPELLANT/PETITIONER:

ANSAD P.P, AGED 28 YEARS, S/O. RASAK, R/AT PITHAPERI  
HOUSE, CHETTIPPADI, PARAPPANANGADI, MALAPPURAM-676  
319.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

RESPONDENTS/RESPONDENTS:

1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY  
OF CIVIL AVIATION, NEW DELHI-110 001

2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA  
EXPRESS LTD., DH ROAD, ERNAKULAM, KOCHI-682 016

3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113,  
GURUDWARA RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023,  
ALONG WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON  
28.02.2023 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 192 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 PASSED BY THE LEARNED

SINGLE JUDGE OF THIS HONOURABLE COURT IN WP(C) 32167/2022

APPELLANT/PETITIONER:

JAMIMA.K.M., AGED 60 YEARS, W/O. VIJAYAMOHAN, R/AT  
REHBOTH, NMRA-97, APC ROAD, MALAPARAMBA P.O.,  
KOZHIKODE-673 009.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

RESPONDENTS/RESPONDENTS:

1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY  
OF CIVIL AVIATION, NEW DELHI-110 001

2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA  
EXPRESS LTD., DH ROAD, ERNAKULAM, KOCHI-682 016

3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113,  
GURUDWARA RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023,  
ALONG WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON  
28.02.2023 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 195 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 IN WP(C) 31010/2022

**APPELLANT/PETITIONER:**

KUNHI MOHAMMED P., AGED 51 YEARS, S/O.KOMUKUTTY, RESIDING  
AT PAINATT, KUNDOOR P.O., NANNABRA, THAYYALINGAL,  
MALAPPURAM-676 320.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENTS/RESPONDENTS:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 197 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 IN WP(C) 27917/2022

**APPELLANT/PETITIONER:**

PURUSHOTHAMAN.K, AGED 53 YEARS, S/O. GOVINDAN, R/AT, KODAKKAT,  
KUMARANPADI, NIRAMARUTHUR, MALAPPURAM DISTRICT.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENTS/RESPONDENTS:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF CIVIL  
AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS LTD., DH  
ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 198 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 PASSED BY THE LEARNED

SINGLE JUDGE OF THIS HONOURABLE COURT IN WP(C) 31862/2022

APPELLANT/PETITIONER:

NIKHIL.M., AGED 27 YEARS, S/O ASOKAN, RESIDING AT  
MALAYIL HOUSE, PONMERI PARAMBIL P.O., KOZHIKODE-673  
542.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

RESPONDENTS/RESPONDENTS:

1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY  
OF CIVIL AVIATION, NEW DELHI-110 001

2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA  
EXPRESS LTD., DH ROAD, ERNAKULAM, KOCHI-682 016

3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113,  
GURUDWARA RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023,  
ALONG WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON  
28.02.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 199 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 IN WP(C) 27857/2022

**APPELLANT/PETITIONER:**

LATHEESH MUTTOOLY, AGED 31 YEARS, SREEDHARAN, R/AT MUTTOOLY HOUSE, KALLURUTTY P.O., OMASSERY, KOZHIKKODE-673 582.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENTS/RESPONDENTS:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 207 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 PASSED BY THE LEARNED

SINGLE JUDGE OF THIS HONOURABLE COURT IN WP(C) 30595/2022

APPELLANT/PETITIONER:

MUHAMMAMED ASHIK, AGED 23 YEARS, S/O. ASHARAF, R/AT  
THACHAPARAMBIL HOUSE, CHERUKUNNU, MALAPPURAM-676 528.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

RESPONDENTS/RESPONDENTS:

1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY  
OF CIVIL AVIATION, NEW DELHI-110 001

2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA  
EXPRESS LTD., DH ROAD, ERNAKULAM, KOCHI-682 016

3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN  
AND MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113,  
GURUDWARA RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH CONNECTED CASES, THE COURT ON 28.02.2023 DELIVERED THE  
FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 210 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 IN WP(C) 32190/2022

**APPELLANT/PETITIONER:**

RATHEESH K.T, AGED 41 YEARS, S/O.BALAKRISHNAN, KALAPPATTU  
THODY HOUSE, ARIpra.P.O., ANGADIPURAM, PERINTHALMANNA,  
MALAPPURAM.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENTS/RESPONDENTS:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 211 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 IN WP(C) 27837/2022

**APPELLANT/PETITIONER:**

MANOJ KUMAR, AGED 60 YEARS, S/O. VELAYUDHAN, R/AT KUNDOOR  
VALAPPIL, NARIPARAMBU P.O., THAVANOR VIA, MALAPPURAM.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENTS/RESPONDENTS:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSETS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 213 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 IN WP(C) 31868/2022

**APPELLANT/PETITIONER:**

MUHAMMED SHAFAF, AGED 28 YEARS, S/O. ABDUL KHADER, R/AT  
CHUNKATH HOUSE, MUNDUPALAM, PERUMANNA. P.O., KOZHIKKODE-673  
019.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENTS/RESPONDENTS:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 219 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 IN WP(C) 31088 OF 2022

**APPELLANTS/PETITIONER:**

- 1 AJMAL ROSHAN, AGED 30 YEARS, S/O MUSHTHAFA.K., R/AT  
KALATHUMPADICKAL, MAYYATHANI ROAD, CHANDAKUNNU, NILAMBUR,  
MALAPPURAM - 679 329.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENTS/RESPONDENTS:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 220 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 IN WP(C) 32188 OF 2022

**APPELLANT/PETITIONER:**

ASHARAF ATHALAN, AGED 63 YEARS, R/AT ANEESA MANZIL, KOROTH ROAD, P.O.KANJIPALLY, VADAKARA, KOZHIKKODE-673 310.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENTS/RESPONDENTS:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 221 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 IN WP(C) 27835 OF 2022

**APPELLANT/PETITIONER:**

ZAMIL.K.P (MINOR), AGED 8 YEARS, S/O ANSAD, REPRESENTED BY  
HIS MOTHER SHAHINA, KUNDOTT PARAKKAL HOUSE, KARIAVATTOM,  
MANNARMALA P.O., PERINTHALMANNA, MALAPPURAM 679 325

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENTS/RESPONDENTS:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 222 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 PASSED BY THE LEARNED SINGLE

JUDGE OF THIS HONOURABLE COURT IN WP(C) 24716 OF 2022

**APPELLANTS/PETITIONERS:**

- 1 AMEENA SHERIN E., AGED 23 YEARS, W/O.LATE SHARAFUDEEN,R./  
AT MELEMARUTHAKOTTIL HOUSE,PILASSERY POST, KUNNAMANGALAM,  
KOZHIKODE-673 571.
- 2 FATHIMA IZZA (MINOR), AGED 2 YEARS, D/O. LATE SHARAFUDEEN,  
R./ AT MELEMARUTHAKOTTIL HOUSE, PILASSERY POST,  
KUNNAMANGALAM, KOZHIKODE-673 571. (REPRESENTED BY HER  
MOTHER AMEENA SHERIN E.)
- 3 MOOSA M.M., AGED 67 YEARS,,R./ AT MELEMARUTHAKOTTIL HOUSE,  
PILASSERY POST, KUNNAMANGALAM, KOZHIKODE-673 571.
- 4 AAMINA P.K., AGED 60 YEARS, W/O.MOOSA M.M., R./ AT  
MELEMARUTHAKOTTIL HOUSE, PILASSERY POST, KUNNAMANGALAM,  
KOZHIKODE-673 571.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENTS/RESPONDENTS:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016

WA 222/2023

-:2:-

3        AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 223 OF 2023

AGAINST THE JUDGMENT in WP(C) 32195/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

ASHARAF M.  
AGED 42 YEARS  
S/O. ALAVI, R/AT MAKKADAYIL HOUSE, THATHANAMPULLY,  
KULUKKALLUR, PALAKKAD 679 337

BY ADVS.  
SHRI KODOTH SREEDHARAN  
SHRI K.P.MUHAMMAD ARIF  
SHRI ABDUL JALEEL.U.K  
SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS  
SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA  
SHRI JOSEPH KODIANTHARA (SR.)  
SHRI ABRAHAM JOSEPH MARKOS  
AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 224 OF 2023

AGAINST THE ORDER/JUDGMENTWP(C) 27920/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

FATHIMA NUHA (MINOR)  
REPRESENTED BY HER MOTHER AYISHA FAROONA B.,  
R/AT THOPPILAKAM PARAMBA, MANANTHALAPALAM, KALLAI PO ,  
KOZHIKKODE 673 003

BY ADVS.  
SHRI KODOTH SREEDHARAN  
SHRI K.P.MUHAMMAD ARIF  
SHRI ABDUL JALEEL.U.K  
SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS  
SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA  
SHRI JOSEPH KODIANTHARA (SR.)  
SHRI ABRAHAM JOSEPH MARKOS  
AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 225 OF 2023

AGAINST THE JUDGMENT WP(C) 31912/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

RINEESH

AGED 34 YEARS

R/AT GOWRI NILAYAM, NANDIALI MEETHAL, ANNASSERY,  
THALAKKALATHUR, KOZHIKKODE 673 317.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 226 OF 2023

AGAINST THE ORDER/JUDGMENT WP(C) 25539/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

FAVAS.K.P.  
AGED 33 YEARS  
S/O.SHOUKATHALI KP, R/AT KODUKAPARAMBAN HOUSE,  
KIZHAKKETHALA MANJERI, MANJERI COLLEGE P.O., MALAPPURAM  
  
BY ADVS.  
SHRI KODOTH SREEDHARAN  
SHRI K.P.MUHAMMAD ARIF  
SHRI ABDUL JALEEL.U.K  
SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001  
  
BY ADVS  
SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA  
SHRI JOSEPH KODIANTHARA (SR.)  
SHRI ABRAHAM JOSEPH MARKOS  
AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 227 OF 2023

AGAINST THE ORDER/JUDGMENTWP(C) 32262/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

SHAHINA ANSAD AGED 34 YEARS, W/O ANSAD. K.P., R/AT KUNDOTTUPARAKKAL,  
MANNARIMAIA, KAIVATTOM, MALAPPURAM - 679 325.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 228 OF 2023

AGAINST THE ORDER/JUDGMENTWP(C) 30629/2022 OF HIGH COURT OF KERALA

APPELLANT/S:

(\*) SHAMILA, AGED 35 YEARS, W/O MOHAMMED SULFIKAR ALI,  
CHULLIKKULAVAN HOUSE, VADAKKANGARA, MANAKKADA.P.O.,  
MALAPPURAM - 679 324.

(\*) Petitioner's name and address is suo motu corrected as  
appearing in WP(C).No.30629/2022:

RISHANA KOOTHRADAN, AGED 30 YEARS, KOOTHRADAN HOUSE,  
MANNAMPARA, IRUMBUZHI PO MALAPPURAM 676 509

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

RESPONDENT/S:

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001



**WA NO. 228 OF 2023**

**-:2:-**

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 229 OF 2023

AGAINST THE ORDER/JUDGMENTWP(C) 28399/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

MOHAMMED ANAS. S.P., AGED 31 YEARS, S/O S.P. ABOOBACKER,  
ANAS MANZIL, SEETANGOLI, KASARAGOD.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 231 OF 2023

AGAINST THE ORDER/JUDGMENT WP(C) 28419/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

INSHAL CHULLIKULAVAN,  
AGED 18 YEARS  
S/O.MOHAMMED SULFIKAR ALI, CHULLIKKULAVAN HOUSE,  
VADAKKANGARA, MANAKKADA P.O., MALAPPURAM-679 324.

BY ADVS.  
SHRI KODOTH SREEDHARAN  
SHRI K.P.MUHAMMAD ARIF  
SHRI ABDUL JALEEL.U.K  
SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS  
SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA  
SHRI JOSEPH KODIANTHARA (SR.)  
SHRI ABRAHAM JOSEPH MARKOS  
AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 233 OF 2023

AGAINST THE JUDGMENTWP(C) 30622/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

UNNI CHEMBAKAM  
AGED 33 YEARS  
S/O.VELAYUDHAN, THANALUR, KERALADHESHWARAM, MALAPPURAM  
DISTRICT.

BY ADVS.  
SHRI KODOTH SREEDHARAN  
SHRI K.P.MUHAMMAD ARIF  
SHRI ABDUL JALEEL.U.K  
SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS  
SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA  
SHRI JOSEPH KODIANTHARA (SR.)  
SHRI ABRAHAM JOSEPH MARKOS  
AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 234 OF 2023

AGAINST THE ORDER/JUDGMENTWP(C) 27841/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

ABDULLA SHEHRAN (MINOR)

AGED 6 YEARS

REPRESENTED BY HIS FATHER ABDUL RAFEE, R/AT NAVODAYA NAGER,  
PERIYA, KASARAGOD-671316.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001

2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016

3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 235 OF 2023

AGAINST THE JUDGMENTWP(C) 30576/2022 OF HIGH COURT OF KERALA

APPELLANT/S:

MURSHIDA SHIRIN

AGED 24 YEARS

D/O. MUSTHAFA, KUNDULIYIL, KULUKKALLUR, PALAKKAD DISTRICT.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

RESPONDENT/S:

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 236 OF 2023

AGAINST THE ORDER/JUDGMENTWP(C) 32198/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

SIDHEEK

AGED 54 YEARS

R/AT KIZHAKKUMPATT HOUSE, EZHOOR, KOOTHUPARAMBA, TIRUR,,  
MALAPPURAM.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001

2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016

3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 237 OF 2023

AGAINST THE JUDGMENT DATED 25.10.2022 IN WP(C) 30774 OF 2022

**APPELLANT/PETITIONER:**

JASEELA NARGEES, AGED 28 YEARS, W/O. SHAMEER VADAKKAN, R/AT  
VATTAKANDTHIL HOUSE, PATHAPPIRIYAM P.O., MALAPPURAM.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENTS/RESPONDENTS:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 238 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 IN WP(C) 27902 OF 2022

**APPELLANT/PETITIONER:**

MUHAMMED SAHIL(MINOR), REPRESENTED BY HIS FATHER  
SAIFUDDEEN, RESIDING AT PADIPATA CHALIL HOUSE, KARUVANPOYIL  
P.O., KODUVALLY, KOZHIKODE-673 572.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENTS/RESPONDENTS:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 239 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 IN WP(C) 30979 OF 2022

**APPELLANT/PETITIONER:**

KENVAL AISHA KOOTHRADAN (MINOR), REPRESENTED BY HER FATHER  
MOHAMMED NIYAS, KOOTHRADAN HOUSE, MANNAMPARA,  
IRUMBURHI.P.O., MALAPPURAM-676 509.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENTS/RESPONDENTS:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 240 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 IN WP(C) 27913 OF 2022

**APPELLANT/PETITIONER:**

ABDULLA RIHAN (MINOR), AGED 12 YEARS, S/O. ABDUL RAFEE,  
REPRESENTED BY HIS FATHER ABDUL RAFEE, R/AT NAVODYA NAGER,  
PERIYA, KASARAGOD-671 316.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENTS/RESPONDENTS:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 241 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 IN WP(C) 32035 OF 2022

APPELLANT/PETITIONER:

SIYAN.K.P (MINOR), AGED 16 YEARS, S/O ANSAD.K.P.,  
REPRESENTED BY HIS MOTHER SHAHINA, RESIDING AT  
KUNDOTTUPARAKKAL, MANNARMALA, KARIVATTOM, MALAPPURAM-679  
325.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

RESPONDENTS/RESPONDENTS:

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 243 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 IN WP(C) 27940 OF 2022

**APPELLANT/PETITIONER:**

SHAMILA, AGED 35 YEARS, W/O MOHAMMED SULFIKAR ALI,  
CHULLIKKULAVAN HOUSE, VADAKKANGARA, MANAKKADA.P.O., MALAPPURAM  
- 679 324.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENTS/RESPONDENTS:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS LTD.,  
DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 244 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 IN WP(C) 32191 OF 2022

**APPELLANT/PETITIONER:**

MUHAMMED ALI, AGED 36 YEARS, S/O.HAMZA, RESIDING AT MALOL  
MEETHAL HOUSE, URALLOOR P.O., QUILANDY, KOZHIKKODE-673 620.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENTS/RESPONDENTS:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSETS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 245 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 IN WP(C) 32129 OF 2022

**APPELLANT/PETITIONER:**

MOHAMMED REHAB VADAKKAN (MINOR), REPRESENTED HER FATHER  
SHAMEER VADAKKAN, RESIDING AT VATTAKANDTHIL HOUSE,  
PATHAPPIRIYAM P.O., MALAPPURAM.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENTS/RESPONDENTS:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 261 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 IN WP(C) 31867 OF 2022

**APPELLANT/PETITIONER:**

MUHAMMED JUNAID.K, AGED 25 YEARS, R/AT NEW ARAFA (H),  
KOROTHY ROAD, P.O. KUNJIPALLY, VADAKARA, KOZHIKODE-673 010

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENTS/RESPONDENTS:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 262 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 IN WP(C) 30976 OF 2022

**APPELLANT/PETITIONER:**

MUHAMMED SAREEF, AGED 39 YEARS, S/O. ABU, R/AT OSSARU  
VEETIL, PERUMPADAPPU, AYIROOR P.O., MALAPPURAM-679 582.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENTS/RESPONDENTS:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 264 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 IN WP(C) 32177 OF 2022

**APPELLANT/PETITIONER:**

ABDUL RAFEE, AGED 41 YEARS, S/O. ABDUL HAMEED, R/AT NAVODYA  
NAGER, PERIYA, KASARAGOD-671 316.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENTS/RESPONDENTS:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSETS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 265 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 IN WP(C) 32206 OF 2022

**APPELLANT/PETITIONER:**

MUHAMMED FASIL, AGED 29 YEARS, S/O. MOIDEEN KOYA, KOTTUMAL HOUSE, KODIYATHUR P.O., MOKKAM, KOZHIKKODE-673 602.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENTS/RESPONDENTS:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 266 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 IN WP(C) 31166 OF 2022

**APPELLANT/PETITIONER:**

MOHAMMED SAHIN PUTHEN PEEDIYEKKAL, AGED 40 YEARS  
RESIDING AT PUTHEN PEEDIYEKKAL HOUSE, PERUMBAL, NANNAMUKKU  
P.O., MALAPPURAM-679 575.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENTS/RESPONDENTS:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG WITH  
WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023 DELIVERED  
THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 272 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 IN WP(C) 30733 OF 2022

**APPELLANT/PETITIONER:**

ABDUL KABEER UNNI MOIDEEN, AGED 42 YEARS, S/O. UNNI  
MOIDEEN, R/ AT 4/35H, KAMBADI, PADANTHORAI.P.O.,  
DEVASHOLAI, NILGRIS, TAMIL NADU-643 211.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENTS/RESPONDENTS:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 275 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 IN WP(C) 30724 OF 2022

**APPELLANT/PETITIONER:**

MUHAMMED AZAAN (MINOR), REPRESENTED HIS FATHER SAFVAN VADAKKAN., R/ AT VATTAKANDTHIL HOUSE, PATHAPPIRIYAM.P.O., MALAPPURAM.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENTS/RESPONDENTS:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 276 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 IN WP(C) 31870 OF 2022

**APPELLANT/PETITIONER:**

SULEKHA K P, AGED 64 YEARS, R/AT THENGAKOOTTUNGAL HOUSE,  
PARAPPUR P.O., VEENALUKKAL, MALAPPURAM.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENTS/RESPONDENTS:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 277 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 IN WP(C) 31162 OF 2022

**APPELLANT/PETITIONER:**

FATHIMA VADAKKAYIL, AGED 27 YEARS, D/O. ABDUL RAZAAK, R/AT  
BAITHUL RAYAN, ENGALATH PADAM, RAMANATTUKARA P.O.,  
KOZHIKODE-673 633.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENTS/RESPONDENTS:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 285 OF 2023

AGAINST THE JUDGMENT DATED 20.10.2022 IN WP(C) 30764 OF 2022

**APPELLANT/PETITIONER:**

ARJUN PEETHAMBARAN, AGED 21 YEARS, S/O.PEETHAMBARAN,  
CHANDRAN KANDIYIL, VALLIYAPPALLI, KOZHIKKODE-673 542.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENTS/RESPONDENTS:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 286 OF 2023

AGAINST THE ORDER/JUDGMENT WP(C) 32508/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

EMRIN MOHAMMED (MINOR) ,  
D/O.MOHAMMED RAJEESH, REPRESENTED BY HER MOTHER FATHIMA  
VADAKKAYIL, RESIDING AT BAITHUL RAYAN, ENGALATH PADAM,  
RAMANTTUKARA P.O., KOZHIKKODE-673 633.

BY ADVS.

SHRI KODOTH SREEDHARAN  
SHRI K.P.MUHAMMAD ARIF  
SHRI ABDUL JALEEL.U.K  
SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA  
SHRI JOSEPH KODIANTHARA (SR.)  
SHRI ABRAHAM JOSEPH MARKOS  
AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 28.02.2023, ALONG  
WITH WA.120/2023 AND CONNECTED CASES, THE COURT ON THE SAME DAY  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 287 OF 2023

AGAINST THE ORDER/JUDGMENTWP(C) 30615/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

JAZZA VADAKKAN (MINOR)  
REPRESENTED HER FATHER SAFVAN VADAKKAN., R/AT VATTAKANDTHIL  
HOUSE, PATHAPPIRIYAM.P.O., MALAPPURAM.

BY ADVS.

SHRI KODOTH SREEDHARAN  
SHRI K.P.MUHAMMAD ARIF  
SHRI ABDUL JALEEL.U.K  
SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA  
SHRI JOSEPH KODIANTHARA (SR.)  
SHRI ABRAHAM JOSEPH MARKOS  
AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 288 OF 2023

AGAINST THE ORDER/JUDGMENTWP(C) 31492/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

ABDULRAHIMAN KUTTY NADAMMAL PUTHIYAKATH  
AGED 52 YEARS  
THALASSERY PADAM HOUSE, CHETTIPPADY P.O., PARAPPANANGADI  
VIA, MALAPPURAM-676319.

BY ADVS.  
SHRI KODOTH SREEDHARAN  
SHRI K.P.MUHAMMAD ARIF  
SHRI ABDUL JALEEL.U.K  
SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS  
SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA  
SHRI JOSEPH KODIANTHARA (SR.)  
SHRI ABRAHAM JOSEPH MARKOS  
AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 291 OF 2023

AGAINST THE ORDER/JUDGMENTWP(C) 31114/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

NIHMATHULLA ABDUL MAJEED  
AGED 33 YEARS  
R/ AT THAHIRA MANZIL, KARIPARAMBU. P.O., TIRURANGADI,  
MALAPPURAM-676 306.

BY ADVS.  
SHRI KODOTH SREEDHARAN  
SHRI K.P.MUHAMMAD ARIF  
SHRI ABDUL JALEEL.U.K  
SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS  
SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA  
SHRI JOSEPH KODIANTHARA (SR.)  
SHRI ABRAHAM JOSEPH MARKOS  
AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 292 OF 2023

AGAINST THE ORDER/JUDGMENT WP(C) 32012/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

AMEENA SHERIN  
AGED 23 YEARS  
W/O LATE SHARAFUDEEN, R/ AT MELE MARUTHAMKOTIL HOUSE,  
PILASSERY. P.O., KUNNAMANGALAM, KOZHIKKODE - 673 571.

BY ADVS.  
SHRI KODOTH SREEDHARAN  
SHRI K.P.MUHAMMAD ARIF  
SHRI ABDUL JALEEL.U.K  
SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS  
SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA  
SHRI JOSEPH KODIANTHARA (SR.)  
SHRI ABRAHAM JOSEPH MARKOS  
AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 293 OF 2023

AGAINST THE ORDER/JUDGMENTWP(C) 32124/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

ZEYA K.P (MINOR)  
D/O.ANSAD, REPRESENTED BY HER MOTHER SHAHINA, KUNDOTT  
PARAKKAL HOUSE, KARIAVATTOM, MANNARMALA P.O.,  
PERINTHALMANNA, MALAPPURAM-679 325

BY ADVS.  
SHRI KODOTH SREEDHARAN  
SHRI K.P.MUHAMMAD ARIF  
SHRI ABDUL JALEEL.U.K  
SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS  
SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA  
SHRI JOSEPH KODIANTHARA (SR.)  
SHRI ABRAHAM JOSEPH MARKOS  
AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 294 OF 2023

AGAINST THE ORDER/JUDGMENTWP(C) 30590/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

AYISHA FAROONA.B.

AGED 24 YEARS

S/O. NOUSHEER, R/AT THOPPILAKAM PARAMBA, MANANTHALAPALAM,  
KALLAI P.O., KOZHIKKODE-673 003.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001

2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016

3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 295 OF 2023

AGAINST THE ORDER/JUDGMENTWP(C) 32205/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

SAREEFA NAZER  
AGED 30 YEARS  
W/O. NAZER, R/AT KAKKIRI HOUSE, THOTTUMUKKAM P.O.,  
AREEKKODE, KOZHIKKODE.

BY ADVS.  
SHRI KODOTH SREEDHARAN  
SHRI K.P.MUHAMMAD ARIF  
SHRI ABDUL JALEEL.U.K  
SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS  
SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA  
SHRI JOSEPH KODIANTHARA (SR.)  
SHRI ABRAHAM JOSEPH MARKOS  
AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 296 OF 2023

AGAINST THE ORDER/JUDGMENTWP(C) 31323/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

MUHAMMED NIAS  
AGED 30 YEARS  
PAYYAMPALLI MEETHAL HOUSE, CHUNDALE P.O., WAYANAD-673 123.  
  
BY ADVS.  
SHRI KODOTH SREEDHARAN  
SHRI K.P.MUHAMMAD ARIF  
SHRI ABDUL JALEEL.U.K  
SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
  - 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
  - 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001
- BY ADVS  
  
SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA  
  
SHRI JOSEPH KODIANTHARA (SR.)  
  
SHRI ABRAHAM JOSEPH MARKOS  
  
AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 297 OF 2023

AGAINST THE ORDER/JUDGMENTWP(C) 27831/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

SHENZA AYISHA (MINOR)  
REPRESENTED HER FATHER SAIFUDHEEN, R/AT PADIPATTA CHALIL  
HOUSE, KARUVANPOYIL P.O., KODUVALLY, KOZHIKKODE-673 572.

BY ADVS.

SHRI KODOTH SREEDHARAN  
SHRI K.P.MUHAMMAD ARIF  
SHRI ABDUL JALEEL.U.K  
SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA  
SHRI JOSEPH KODIANTHARA (SR.)  
SHRI ABRAHAM JOSEPH MARKOS  
AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 300 OF 2023

AGAINST THE ORDER/JUDGMENTWP(C) 31904/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

MUHAMMED MUSTHAF A,  
AGED 27 YEARS  
S/O.SIDHIQ, RESIDING AT CHOLAKUNNATH HOUSE,  
MUNDAKOTTUKURUSHI P.O., PALAKKAD DISTRICT.

BY ADVS.  
SHRI KODOTH SREEDHARAN  
SHRI K.P.MUHAMMAD ARIF  
SHRI ABDUL JALEEL.U.K  
SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS  
SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA  
SHRI JOSEPH KODIANTHARA (SR.)  
SHRI ABRAHAM JOSEPH MARKOS  
AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 308 OF 2023

AGAINST THE ORDER/JUDGMENTWP(C) 31106/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

ABBAS THEKKETHIL  
AGED 49 YEARS  
S/O. KUHAMMED THEKKETHIL, R/AT THEKKETHIL HOUSE,  
KALLADIPATTA P.O., PATTAMBI VIA, PALAKKAD.

BY ADVS.  
SHRI KODOTH SREEDHARAN  
SHRI K.P.MUHAMMAD ARIF  
SHRI ABDUL JALEEL.U.K  
SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS  
SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA  
SHRI JOSEPH KODIANTHARA (SR.)  
SHRI ABRAHAM JOSEPH MARKOS  
AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 311 OF 2023

AGAINST THE ORDER/JUDGMENTWP(C) 27922/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

SREEMANIKANDAN.T.M.

AGED 41 YEARS

S/O. KUNCHAPPA MENON, R/AT AMBIKAMRUTHAM, MANTHAKKAD,  
MALAMPUZHA, PALAKKAD-678651.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001

2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016

3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
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DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 318 OF 2023

AGAINST THE ORDER/JUDGMENTWP(C) 31013/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

MUTHU VIJAYAMOHAN,  
AGED 70 YEARS  
S/O.M.AMON, RESIDING AT REHBOTH, NMRA-97, APC ROAD,  
MALAPARAMBA P.O., KOZHIKKODE-673 009.

BY ADVS.  
SHRI KODOTH SREEDHARAN  
SHRI K.P.MUHAMMAD ARIF  
SHRI ABDUL JALEEL.U.K  
SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS  
SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA  
SHRI JOSEPH KODIANTHARA (SR.)  
SHRI ABRAHAM JOSEPH MARKOS  
AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG WITH  
WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023 DELIVERED  
THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 319 OF 2023

AGAINST THE JUDGMENTWP(C) 31177/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

FATHIMA IZZA (MINOR), REPRESENTED BY HER MOTHER AMEENA  
SHERIN, D/O. LATE SHARAFUDEEN, MELE MARUTHAMKOTTIL,  
PILASSERY POST, KUNNAMANGALAM, KOZHIKODE.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 320 OF 2023

AGAINST THE ORDER/JUDGMENTWP(C) 32089/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

ASHARAF KAPPUMALA

AGED 45 YEARS

S/O. MUHAMMED, KOTTUVATTA PALAMTHALAKKAL HOUSE, PERUVAYAL,  
VELAM, VADAKARA, KOZHIKKODE DISTRICT.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001

2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016

3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 321 OF 2023

AGAINST THE ORDER/JUDGMENTWP(C) 27914/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

ADHISREE.P. (MINOR),  
AGED 6 YEARS, D/O SREEJITH, REPRESENTED BY HER FATHER  
SREEJITH, PUTHUPARAMBIL HOUSE, VELLERI, PONNANI,  
MALAPPURAM- 679577.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 330 OF 2023

AGAINST THE ORDER/JUDGMENT WP(C) 27540/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

MOHAMMED JASIR, AGED 21 YEARS, R/AT THUPPATH HOUSE,  
VALAVANNUR PO, PARAPPANANGADI, MALAPPURAM 676 551

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 334 OF 2023

AGAINST THE ORDER/JUDGMENT WP(C) 30620/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

FAIHA VADAKKAN (MINOR)  
REPRESENTED BY HER FATHER SHAMEER VADAKKAN, RESIDING AT  
VATTAKANDTHIL HOUSE, PATHAPPIRIYAM P.O., MALAPPURAM.

BY ADVS.

SHRI KODOTH SREEDHARAN  
SHRI K.P.MUHAMMAD ARIF  
SHRI ABDUL JALEEL.U.K  
SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

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CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA  
SHRI JOSEPH KODIANTHARA (SR.)  
SHRI ABRAHAM JOSEPH MARKOS  
AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
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DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 335 OF 2023

AGAINST THE JUDGMENTWP(C) 27905/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

AYSHATH SALEENA

AGED 36 YEARS

S/O ABDUL RAFEE, RESIDING AT NAVODYA NAGER, PERIYA,  
KASARGOD-671 316.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016
- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 336 OF 2023

AGAINST THE ORDER/JUDGMENTWP(C) 31432/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

MUHAMMED SUHAIL (MINOR)  
REPRESENTED BY HER FATHER ABDULRAHIMAN KUTTY NADAMMAL.,  
RESIDING AT THALASSERY PADAM HOUSE, CHETTIPPADY P.O.,  
PARAPPANAGADY, MALAPPURAM.

BY ADVS.

SHRI KODOTH SREEDHARAN  
SHRI K.P.MUHAMMAD ARIF  
SHRI ABDUL JALEEL.U.K  
SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
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- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA  
SHRI JOSEPH KODIANTHARA (SR.)  
SHRI ABRAHAM JOSEPH MARKOS  
AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 337 OF 2023

AGAINST THE JUDGMENTWP(C) 32504/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

MANHA VADAKKAN (MINOR)  
REPRESENTED BY HER FATHER SHAM SHAMEER VADAKKAN, RESIDING  
AT VATTAKANDTHIL HOUSE, PATHAPPRIRIYAM P.O., MALAPPURAM.

BY ADVS.

SHRI KODOTH SREEDHARAN  
SHRI K.P.MUHAMMAD ARIF  
SHRI ABDUL JALEEL.U.K  
SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
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- 3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA  
SHRI JOSEPH KODIANTHARA (SR.)  
SHRI ABRAHAM JOSEPH MARKOS  
AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 338 OF 2023

AGAINST THE ORDER/JUDGMENTWP(C) 27833/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

MOIDUTTY

AGED 44 YEARS

S/O KUNHAPPA, RESIDING AT VATTAPARAMBIL HOUSE, NANNAMUKKU,  
MALAPPURAM-679 575.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001

2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
LTD., DH ROAD, ERNAKULAM, KOCHI-682 016

3 AIR INDIA ASSESTS HOLDING, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 339 OF 2023

AGAINST THE ORDER/JUDGMENTWP(C) 25140/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

VIJESH MULAMUKKIL  
AGED 35 YEARS  
S/O SHANMUGHAN, MULAMUKKIL HOUSE, VALLACHI, OZHUR P.O.,  
MALAPPURAM.

BY ADVS.  
SHRI KODOTH SREEDHARAN  
SHRI K.P.MUHAMMAD ARIF  
SHRI ABDUL JALEEL.U.K  
SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

- 1 UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF  
CIVIL AVIATION, NEW DELHI-110 001
- 2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
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MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS  
SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA  
SHRI JOSEPH KODIANTHARA (SR.)  
SHRI ABRAHAM JOSEPH MARKOS  
AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WA NO. 359 OF 2023

AGAINST THE JUDGMENT WP(C) 28369/2022 OF HIGH COURT OF KERALA

**APPELLANT/S:**

MUNEERA MEDAPPIL

AGED 45 YEARS

W/O.ABDUL RAHIMANKUTTY, RESIDING AT THALASSERY PADAM HOUSE,  
CHETTIPPADI P.O, PARAPPANANGADI, MALAPPURAM-676319.

BY ADVS.

SHRI KODOTH SREEDHARAN

SHRI K.P.MUHAMMAD ARIF

SHRI ABDUL JALEEL.U.K

SHRI CHACKOCHEN VITHAYATHIL

**RESPONDENT/S:**

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CIVIL AVIATION, NEW DELHI-110 001

2 AIR INDIA EXPRESS LIMITED, REPRESENTED BY ITS CHAIRMAN AND  
MANAGING DIRECTOR, CORPORATE OFFICE, AIR INDIA EXPRESS  
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MANAGING DIRECTOR, INDIA AIRLINES BUILDING, 113, GURUDWARA  
RAKABGANJ ROAD, NEW DELHI-110 001

BY ADVS

SHRI MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

SHRI JOSEPH KODIANTHARA (SR.)

SHRI ABRAHAM JOSEPH MARKOS

AMICUS CURIAE Smt.JOHN NELLIMALA SARAI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27.02.2023, ALONG  
WITH WA NO.120/2023 AND CONNECTED CASES, THE COURT ON 28.02.2023  
DELIVERED THE FOLLOWING:

**A.MUHAMED MUSTAQUE & SHOBA ANNAMMA EAPEN, JJ.**

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**Writ Appeal Nos.120, 121, 140, 141, 142,  
143, 144, 145, 146, 147, 156, 157, 160,  
163, 164, 180, 181, 182, 183, 184, 192,  
195, 197, 198, 199, 207, 210, 211, 213,  
219, 220, 221, 222, 223, 224, 225, 226,  
227, 228, 229, 231, 233, 234, 235, 236,  
237, 238, 239, 240, 241, 243, 244, 245,  
261, 262, 264, 265, 266, 272, 275, 276,  
277, 285, 286, 287, 288, 291, 292, 293,  
294, 295, 296, 297, 300, 308, 311, 318,  
319, 320, 321, 330, 334, 335, 336, 337,  
338, 339 and 359 of 2023**

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**Dated this the 28<sup>th</sup> day of February, 2023**

## **J U D G M E N T**

Justice A.Muhamed Mustaque

These intra-court appeals are filed by the writ petitioners. The matter is related to a claim for compensation under the Carriage by Air Act, 1972. Claims have been raised by passengers and relatives of the victims of the air crash at Karipur International Airport who were traveling in

Air India Express Dubai-Kozhikode Flight IX-1344.

Accident occurred on 7/8/2020.

2. Heard the learned counsel, Shri Kodoth Sreedharan appearing for the appellants and the learned Senior Counsel, Shri Joseph Kodianthara appearing for Air India and learned Amicus Curiae Smt.John Nellimala Sarai.

3. The learned Single Judge who heard the matter dismissed the writ petitions holding that Air India is a private entity and no public function is being discharged in payment of compensation that is payable by them under the Carriage by Air Act. The learned Single Judge also found that all the petitioners having received compensation, the writ petitions are not maintainable.

4. In regard to the finding that the writ petitions are not maintainable as Air India being a private carrier, is according to us, unwarranted. Merely because Air India is a

private entity, it cannot be said they are not discharging public function in matters related to Air Laws and regulations thereon. A learned Single Judge of this Court in **Abdul Salam S. and Others v. Union of India and Another [2011 (3) KHC 199]** after adverting to Rules 20, 21, 26 and Rule 28 of the third schedule to the Carriage by Air Act, was of the view that in the matter of accidents arising from air crash, air carrier is liable to pay minimum compensation of one lakh SDRs (then prevailing rate). The view of the learned Single Judge was overturned by a Division Bench in **National Aviation Company of India Ltd. v. S.Abdul Salam and others [2011 (3) KHC 761]**. The Division Bench was of the view that the air carrier was only liable to pay damages for proven loss. The appeal against Division Bench Judgment is pending before the Apex Court. If the view of the learned Single Judge is upheld, perhaps we may have to hold that minimum compensation prescribed under

the Carriage by Air Act is based on public policy and even private carriers could be accountable under public law for non-payment of minimum compensation. It has to be noted that the obligation to pay compensation under the Carriage by Air Act is not based on mere regulatory regime but also based on sovereign functions as committed by our country in international forums. An air carrier may have to carry many passengers from different countries. Convention for unification of rules relating to international carriage was signed in Warsaw in the year 1929 and Montreal convention in the year 1999. The Montreal convention casts an obligation on air carriers to pay the compensation as referred to in the Carriage by Air Act. These are sovereign's obligations and private carriers in fact shoulder such obligations assured by the Sovereign in international forums. In such a scenario, it may not be safe to hold that the writ petitions are

not maintainable even to direct the air carrier to pay minimum compensation. In such circumstances, we find that question can be left open for decision in appropriate cases in future.

5 In these cases, admittedly, all the writ petitioners have received compensation. The compensation has been received without any protest or any reservation. We also note that some of the writ petitioners who in the earlier round of litigation had claimed compensation, withdrew the writ petition as not pressed based on the settlement of payment of compensation.

5. The learned counsel for the appellants submitted that the compensation received is much less than the compensation payable under the Carriage by Air Act and, therefore, they have every right to approach this Court invoking Article 226 of the Constitution. The learned counsel further placing reliance on the judgments of this Court and other materials argued that Air

India is discharging public function and therefore, they are amenable to Article 226 of the Constitution. The learned counsel pointed out Rule 26 of the third schedule to the Carriage by Air Act. The above provision reads thus:

26. Any provision tending to relieve the carrier of liability or to fix a lower limit than that which is laid down in these rules shall be null and void, but the nullity of any such provision does not involve the nullity of the whole contract, which shall remain subject to the provisions of these rules .

6. According to the learned counsel for the appellants, any action on the part of Air India limiting compensation by a contract is null and void and, therefore, even if they have accepted compensation, that will not preclude them from claiming higher compensation as per the statutory regulation.

7. The learned Senior Counsel Shri Joseph Kodianthra submitted that merely because the compensation regime is regulated by a statutory provision, that will not confer a right on



passengers to move a public law remedy. He cited examples of claims under the Motor Accidents Claims Tribunal for compensation arising out of motor accidents. The learned Senior Counsel further submitted that compensation was worked out based on individual claims and entire compensation was paid based on mediation to each individual claimant.

8. We shall now have a look at Rule 26 of the third schedule to the Carriage by Air Act once again. Rule 26 only nullifies the provision if any made by the carrier by way of contract or stipulation in air ticket limiting the liability of the air carrier. Thus, any contract contrary to the compensation regime under the statutory provision, if it is not beneficial to the passenger, such contract is null and void. That means that the carrier cannot escape liability to pay compensation in accordance with the statutory provision citing contracts entered with

passengers. In this case, however, we note that all the parties to this litigation voluntarily accepted the compensation given to them without any protest. Rule 26 refers to entitlement and that cannot be whittled down by a contract. But that does not mean that the parties are not free to enter into a contract to accept the compensation at a lower fixed rate than prescribed in the statute. In every contract what is reflected is party autonomy. If parties voluntarily accept the compensation given to them, they cannot turn around and challenge the same, contending that it is lower than what is stipulated in the statutory provision. The offer and acceptance refers to a contract. That can be impeached only through a known manner as provided in the Indian Contract Act, 1872. In such circumstances, we are of the view that there is no merit in the writ petitions. The question whether Air India is amenable to writ jurisdiction being a

**Writ Appeal No.120/2023 and con.cases**

-:9:-

private entity for payment of any compensation as per the schedule, is left open. These appeals stand dismissed. No costs.

Sd/-

**A.MUHAMED MUSTAQUE, JUDGE**

Sd/-

**SHOBA ANNAMMA EAPEN, JUDGE**

**ms**