

ITEM NOS.27+51

COURT NO.6

SECTION IV-B

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 1546/2019

(Arising out of impugned final judgment and order dated 03-01-2019 in CWP No. 24/2019 passed by the High Court Of Punjab & Haryana At Chandigarh)

AIR INDIA LIMITED

Petitioner(s)

VERSUS

TTL HOLIDAYS

Respondent(s)

(FOR ADMISSION and I.R. and IA No.8409/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.8407/2019-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

T.P. (C) Nos. 161-164/2019

Date : 25-01-2019 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN
HON'BLE MR. JUSTICE VINEET SARAN

For Petitioner(s) Mr. K.K. Venugopal, Attorney General for India
Mr. Ravi Kini, Adv.
Ms. Somyia Priyadarshinee, Adv.
Ms. Kritika Shukla, Adv.
Mr. Mukesh Kumar, Adv.
For M/s. M. V. Kini & Associates, AOR

For Respondent(s) Dr. A.M. Singhvi, Sr. Adv.
Mr. Arvind Datar, Sr. Adv.
Mr. Sarat Kumar, Adv.
Mr. Virender Mehta, Adv.
Mr. Tarak Sah, Adv.
Mr. Amrendra Kumar Mehta, AOR

Mr. Sajjan Poovayya, Sr. Adv.
Mr. Anuj Berry, Adv.
Priyadarshi Banerjee, Adv.

UPON hearing the counsel the Court made the following

O R D E R**S.L.P.(C) No. 1546/2019:**

Having heard the learned Attorney General appearing for the petitioner-Air India Limited and Dr. A.M. Singhvi, learned Senior Counsel for the respondents, we are surprised that an ex-parte ad-interim order has been passed on the very day that the petition was moved in the Punjab & Haryana High Court.

We have been apprised of the fact that Air India's Agreement with Amadeus has been terminated w.e.f 04.12.2018, which Amadeus itself has not challenged.

We are satisfied that this kind of order flies in the face of Order 39 of the C.P.C. Quite apart from that, a mandatory injunction at the ad-interim stage to continue with a particular agreement ought not to have been granted without hearing the other side.

We, therefore, set aside the impugned order of the High Court. The matter will otherwise be heard on its own merits.

Accordingly, the Special Leave Petition stands disposed of.

Pending applications stand disposed of.

T.P. (C) Nos. 161-164/2019:

Issue notice.

(R. NATARAJAN)
COURT MASTER (SH)

(TAPAN KUMAR CHAKRABORTY)
ASSISTANT REGISTRAR