



सत्यमेव जयते

GOVERNMENT OF INDIA
MINISTRY OF LABOUR

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO.1

1st Floor, Shram Raksha Bhavan, Shivsrusthi Road, Opp. Priyadarshini,
Off Eastern Express Highway, Sion, Mumbai-400 022.

No.A.Appln.CGIT-05/24/ 719 /26

Date: 2/02/2026

To,

1. The Under Secretary,
Government of India,
Ministry of Labour & Employment
Shram Shakti Bhavan, Rafi Marg,
New Delhi - 110001

2. British Airways PLC
Regus Business Centre
Level 1, Block A
Shiv Sagar Estate
Dr. Annie Besant Road Worli
Mumbai - 400018

3. Ms. Ritu Dua,
H.No.9, H Block,
Prem Nagar, Najafgarh,
New Delhi - 110043.

4. British Airways India Cabin Crew Union (BAICCU)
Khareghat Colony, Building no. 8,
3rd Floor, Hughes Road,
Mumbai - 400007.

APPROVAL APPLICATION NO.CGIT- 05 OF 2024

(Arising out of Ref.No.CGIT- 13 of 2018 and LCB-2 of 2022)

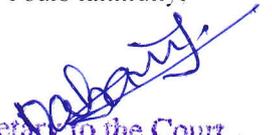
Parties: - British Airways PLC : Applicant
V/s.
1. Ms. Ritu Dua
2. British Airways Indian Cabin Crew Union (BAICCU) : Opp. Party

Sir,

I am directed to forward herewith two copies/a copy of the judgment in the above noted approval application under Section 33-2(b) of the I.D. Act, 1947.

Kindly acknowledge receipt.

Yours faithfully,


Secretary to the Court
Central Government Industrial
Tribunal-cum-Labour Court No. I
Mumbai

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AND LABOUR COURT NO. 1, MUMBAI

Present

Justice Arvind Kumar Mishra

Presiding Officer

Approval Application No. CGIT 5 of 2024
(Arising Out of Ref. CGIT No. 13 OF 2018 AND LCB-2 of 2022)

British Airways PLC

...Applicant

Versus

1. Ms. Ritu Dua

...Opposite Parties

2. British Airways Indian Cabin Crew Union

APPEARANCE:-

For the Applicant

: Mr. Santosh Shetty (Adv.)

For the Opp. Party No.1

: Absent

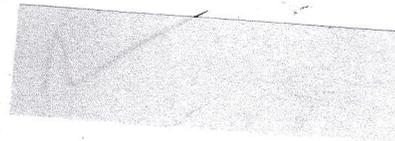
For the Opp. Party No.2

: Absent

Mumbai, dated 23rd February 2026.

JUDGEMENT

1. The Applicant/Management has filed the present application under Section 33(2)(b) of the Industrial Disputes Act, 1947 seeking approval of the action of dismissal of Opposite Party No.1 during the pendency of an industrial dispute.
2. Ld. Counsel for the Applicant submitted that the domestic inquiry has been conducted strictly in accordance with the principles of natural justice and the statutory requirements under Section 33(2)(b) of the Act have been fully complied with, including payment of one month's wages contemporaneously with the order of dismissal.
3. It is further submitted that irreparable harm would be caused to the Applicant if the proceedings are permitted to linger, particularly in view of the fact that the Opposite Party No.1 has voluntarily issued a No Objection Certificate and has categorically stated in writing that "*there is no pressure or force being exercised upon me in any way.*" It is contended that the present application is bona fide and that no prejudice whatsoever would be caused to Opposite Party No.1 if the approval is granted.
4. It is recorded that the Opposite Party No.1 has conveyed in writing before the Applicant/Management that:



5. She is not contesting her dismissal/termination;
6. She has no objection to the approval application under Section 33(2)(b) of the Industrial Disputes Act, 1947 being allowed; and
7. Her statement has been made voluntarily, without any coercion, pressure, or undue influence.
8. The said statement is taken on record.
9. The limited scope of enquiry at the stage of approval under Section 33(2)(b) is well settled. The Tribunal is only required to see whether:
 - (i) a proper domestic enquiry has been held;
 - (ii) principles of natural justice have been followed;
 - (iii) a prima facie case of misconduct is made out;
 - (iv) one month's wages have been paid simultaneously; and
 - (v) the application has been filed bona fide.
10. The Hon'ble Supreme Court of India in *Lalla Ram v. DCM Chemical Works Ltd.*, (1978) 3 SCC 1, has clearly held that the Tribunal does not sit as an appellate authority over the findings of the domestic enquiry while considering an approval application.
11. The Hon'ble Supreme Court of India in *Punjab Beverages Pvt. Ltd. v. Suresh Chand*, (1978) 2 SCC 144, has observed that proceedings under Section 33(2)(b) are summary in nature and once statutory compliance is shown, approval ought to follow.
12. Further, the Hon'ble Delhi High Court in *Management of DTC v. Presiding Officer, CGIT*, 2016 SCC On Line Del 5092, held that where the workman does not dispute the inquiry or the action taken and statutory requirements are fulfilled, the Tribunal should not unnecessarily prolong approval proceedings.

Findings

13. Upon perusal of the application, documents on record, and the voluntary statement of Opposite Party No.1, this Tribunal finds that:
 - a. The domestic enquiry was conducted in a fair and proper manner;
 - b. The principles of natural justice were duly complied with;
 - c. One month's wages were paid contemporaneously with the dismissal;
 - d. The application has been filed bona fide, and the Opposite Party No.1 has voluntarily and unequivocally stated that she has no objection to the grant of approval.

Conclusion

14. In view of the above facts, submissions, and settled legal position, this Tribunal is satisfied that the Applicant has fulfilled all mandatory requirements under Section



33(2)(b) of the Industrial Disputes Act, 1947 and that no prejudice would be caused to Opposite Party No.1 by grant of approval.

ORDER

The Approval Application filed by the Applicant/Management under Section 33(2)(b) of the Industrial Disputes Act, 1947 is allowed. Approval is hereby granted to the dismissal/termination of Opposite Party No.1.

No order as to costs.

✓ Dated: - 23.2.26 ✓
✓



(JUSTICE ARVIND KUMAR MISHRA)

PRESIDING OFFICER

2/
23/26

