



सत्यमेव जयते

GOVERNMENT OF INDIA  
MINISTRY OF LABOUR

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO.1**

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

No.A.Appln.CGIT-02/24/723 /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. Tanmai Nekkanti  
2-4-813/2, Road No. 02,  
Snehapuri Colony,  
Hyderabad  
Telangana – 500035.

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

**APPROVAL APPLICATION NO.CGIT- 02 OF 2024**

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

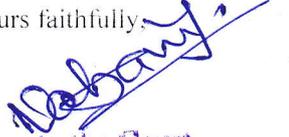
Parties: - British Airways PLC : Applicant  
V/s.  
1. Ms. Tanmai Nekkanti & Anr.  
2. British Airways Indian Cabin Crew Union (BAICCU) : Opp. Party

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. 1  
Mumbai

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

Present

Justice Arvind Kumar Mishra

Presiding Officer

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

British Airways PLC

...Applicant

Versus

1. Ms. Tanmai Nekkanti & Anr.
2. British Airways Indian Cabin Crew Union

...Opposite Parties

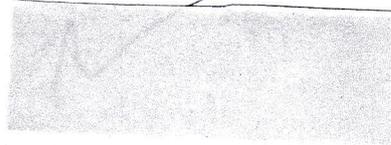
APPEARANCE:-

For the Applicant : Mr. Santosh Shetty (Adv.)  
For the Opp. Party No.1 : Absent  
For the Opp. Party No.2 : Absent

Mumbai, dated 23<sup>rd</sup> February 2026.

JUDGEMENT

1. This is an application under Section 33(2)(b) of the Industrial Disputes Act, 1947, filed by the Applicant/Management seeking approval of its action of dismissal of Opposite Party No.1 during the pendency of industrial proceedings between the Management and Opposite Party No.2 Union.
2. Brief facts, as borne out from the pleadings and documents, disclose that Opposite Party No.1 was employed as Cabin Crew on a fixed-term contract commencing from 25.03.2022 till 24.03.2025. Allegations were levelled that while being rostered for duty on 05.11.2023, she reported sick on 04.11.2023 and yet travelled to Bali during the period of sick leave, subsequently furnishing forged passport scans to conceal the same. These allegations culminated in a domestic inquiry which, according to the Applicant, was conducted strictly in accordance with principles of natural justice.
3. The record reveals that the employee was afforded multiple opportunities at every stage of the disciplinary process, namely initial assessment, preliminary investigation, and disciplinary hearing. She was repeatedly informed of her right to be accompanied by a colleague or Union representative, which she consciously chose not to exercise.



The employee admitted to material aspects of the misconduct including transmission of forged passport scans and failure to produce authentic travel documents.

4. It is further evident that the Inquiry Officer / Hearing Manager, after appreciating the evidence on record, arrived at a finding of guilt and recommended dismissal for gross misconduct. Consequent thereto, the Management has dismissed the employee contemporaneously with the filing of the present application and has paid one month's wages as mandated under Section 33(2)(b) of the Act.
5. The law is well settled that while considering an application under Section 33(2)(b), the Tribunal does not sit in appeal over the findings of the domestic inquiry. The scope is confined to examining:
  - a) Whether a proper and fair domestic inquiry was held;
  - b) Whether a prima facie case of misconduct is made out;
  - c) Whether one month's wages have been paid simultaneously; and
  - d) Whether the action is bona fide and not an act of victimisation or unfair labour practice.

6. *The Hon'ble Supreme Court of India in Lalla Ram v. DCM Chemical Works Ltd., (1978) 3 SCC 1, has authoritatively held that:*

*"The Tribunal has only to see whether a prima facie case is made out and whether the employer has complied with the conditions prescribed under Section 33(2)(b)."*

7. *In John D'Souza v. Karnataka State Road Transport Corporation, (2019) 18 SCC 47, the Apex Court reiterated that approval proceedings are summary in nature and detailed examination of evidence is impermissible at this stage.*

#### Findings:

8. On careful perusal of the pleadings, inquiry papers, and annexures, this Tribunal finds that:
  - i. A fair and proper inquiry was conducted following due procedure;
  - ii. The employee was given adequate opportunity to defend herself;
  - iii. The findings of misconduct are supported by admitted facts and documentary material;
  - iv. There is no material on record to suggest victimisation, mala fides, or unfair labour practice;
  - v. One month's wages along with dues up to the date of dismissal have been paid contemporaneously.
9. The Hon'ble Bombay High Court in *Air India Ltd. v. V.A. Rebellow, 2010 (6) Bom CR 517*, has held that loss of trust and confidence, especially in safety-sensitive roles, constitutes valid ground for dismissal when misconduct involving dishonesty is proved.



10. Cabin Crew members occupy positions of trust, discipline, and integrity. Forgery and deliberate deception strike at the very root of the employer-employee relationship. The punishment of dismissal, in the present facts, cannot be said to be shockingly disproportionate.
11. The Applicant has placed on record a No Objection Certificate dated 09/05/2024 received from the Opposite Party No. 1 which has been duly signed by her stating that she will not contest her dismissal/termination and further that she has no objection to the Approval Application under the Industrial Disputes Act, 1947 being allowed. She has further stated that no pressure or force is being exercised upon her in anyway.

### Conclusion

12. In view of the above discussion and applying the settled principles of law laid down by the Hon'ble Supreme Court and the Hon'ble High Court, this Tribunal is satisfied that the Applicant has complied with all statutory requirements under Section 33(2)(b) of the Industrial Disputes Act, 1947.

### ORDER

The Approval Application is allowed. The action of the Applicant/Management in dismissing Opposite Party No.1 from service is hereby approved under Section 33(2)(b) of the Industrial Disputes Act, 1947.

No order as to costs.

  
(JUSTICE ARVIND KUMAR MISHRA)  
PRESIDING OFFICER

