



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPIL No. 37 of 2017

Kamal Kumar Dubey (Died) Through Lrs **versus** Union of India

WPIL/67/2017

Order Sheet

06.11.2025	Heard Mr. Rahul Ambast, learned counsel for petitioner in WPIL No.37/2017 and Mr. Sudiep Shrivastava, learned counsel for the petitioner in WPIL No.67/2017. Also heard Mr. Ramakant Mishra, learned Deputy Solicitor General assisted by Mr. Anmol Sharma and Mr. Bhupendra Pandey, learned Central Government Counsel appearing for the Union of India, Mr. Yashwant Singh Thakur, learned Additional Advocate General appearing for the State, Mr. Anumeh Shrivastava, learned counsel appearing

for the Airport Authority of India, Mr. Shobhit Koshta, learned counsel appearing for IndiGo Airlines and Mr. Shobhit Koshta, learned counsel appearing for the Alliance Air Aviation Limited.

In compliance of the Court's order dated 06.10.2025, the Chief Secretary, Government of Chhattisgarh has filed his personal affidavit, relevant portion of which reads as under :-

"2. It is most humbly submitted by the deponent that the civil and electrical works for the DVOR installation by Public Works Department have already been completed. The Airport Authority of India (AAI) team has installed the DVOR and carried out the initial flight inspection successfully. Flight Inspection Unit has submitted its report. copy of the report dated 03-10-2025 is annexed herewith as ANNEXURE X/1. The pre-commissioning inspection by Airport Authority of India is yet to be conducted. State is pursuing the matter with them."

From perusal of the aforesaid affidavit, it transpires that the civil and electrical works required for

installation of the DVOR have already been completed by the Public Works Department, and the Airport Authority of India has installed the DVOR and successfully conducted the initial flight inspection. The Flight Inspection Unit has submitted its report dated 03.10.2025 (Annexure X/1). It also appears that the pre-commissioning inspection by the Airport Authority of India is still pending, and the State Government is actively pursuing the matter with the competent authorities.

Mr. Koshta, learned counsel submits the he has filed reply on behalf of M/s Alliance Air Aviation Limited to the following effect :-

“1. That, the petitioner has filed the instant petition challenging the halt of passenger's flight by the answering respondent from the route from Bilaspur-Bhopal- Bilaspur and for other directions for effective working of Bilaspur Airport.

2. That, as per the order of the Hon'ble Court vide order dated 6/10/25, the answering respondent submits that in terms of existing Memorandum of

	<i>Understanding between Government of Chhattisgarh and Alliance Air to operate State Government supported viability gap Funding, Alliance Air is required to operate as under:</i> • <i>Delhi-Bilaspur-Delhi: 02 frequencies per week between the cities</i> • <i>Bilaspur-Jabalpur-Bilaspur- 02 frequencies per week between the cities</i> • <i>Bilaspur-Prayagraj-Bilaspur-02 frequencies per week between the cities</i> • <i>Kolkata-Bilaspur-Kolkata- 02 frequencies per week between the cities</i> • <i>Jagdalpur-Jabalpur-Jagdalpur-up to 03 frequencies per week. Since commencement of MoU, operating 2 frequencies per week)</i> <i>3. That, it is respectfully submitted that Winter Schedule has been announced which has come into effect from 26/10/25 and answering respondent has taken a management decision that they shall now complete the required flight connectivity between the listed city pairs very efficiently spreading over 4 days instead of 7 days as is being done under Summer Schedule 2025. During the Winter</i>
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	<i>Schedule, 2025, Alliance Air has streamlined the resource allocation in order to-</i> <i>• to curtail cost of operation;</i> <i>• optimum utilization of Aircraft Flying hours and Crew Costs;</i> <i>• Savings on ATF as a national resource due big reduction in number of Positioning legs;</i> <i>• In addition, the constraints of Duty Time Limitations raised from time to time by the AAI, ATC at Bilaspur airport has also influenced the need to review the routings of operations on inter/intra Chhattisgarh flights under the Memorandum of Understanding.</i> <i>4. That, it is humbly submitted that necessary steps has been taken to regularly review and revisit the operation plans in order to make operations more effective at the systems level while also improving cost & resources efficiency. Copy of winter Schedule is filed herewith as Annexure A.</i> <i>5. That, it is humbly submitted that Alliance Air would put all its sincere endeavors to fulfill the commitment</i>
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regarding the number of frequencies of flights between each city pair listed above under the Winter Schedule, 2025.”

From perusal of the aforesaid reply, it transpires that the M/s. Alliance Air Aviation Ltd. has justified the temporary halt/restructuring of the Bilaspur–Bhopal–Bilaspur passenger flight on the ground of the revised Winter Schedule, 2025, and the managerial decision taken to ensure optimum utilization of aircraft hours, crew resources and to reduce operational costs, including savings of ATF and avoidance of additional positioning legs. It further reflects that the constraints relating to Duty Time Limitations raised by AAI/ATC at Bilaspur Airport have also necessitated a review of the existing routing patterns under the Memorandum of Understanding. The respondent has stated that despite the revised operational plan, the commitment to operate the requisite number of frequencies between the identified city pairs shall be fulfilled and that the operations are being continuously reviewed to enhance system-level

efficiency. Annexure-A (Winter Schedule) has been filed in support of the said stand.

Mr. Mishra, learned Deputy Solicitor General, submits that he has received an e-mail dated 03.11.2025, wherein it has been mentioned that the Ministry of Defence has communicated to the Collector, Bilaspur, the calculation of the cost of 290.80 acres of defence land at Tilsara and Rehangri villages, Bilaspur District, in terms of the Minutes of the Meeting dated 09.09.2025. The said communication records that the total cost, including 10% pro-rata service charges and simple interest @ 9% per annum up to 31.10.2025 (excluding the cost of trees and assets), comes to ₹50,64,48,908.18/-. It has also been conveyed that the willingness of the State Government to reimburse the aforesaid amount is required to be communicated to enable further action.

Mr. Mishra submits that he will file the e-mail dated 03.11.2025 by moving an appropriate application for taking the same on record within 24 hours.

It transpires from the earlier order dated 06.10.2025 that the Airport Authority of India has already inspected the Bilaspur Airport and that the final approval from the Directorate General of Civil Aviation is still awaited.

Mr. Anumeh Shrivastava, learned counsel appearing for the Airport Authority of India, submits that the initial inspection has been completed and that the pre-commissioning inspection is scheduled between 10th and 12th November, 2025. He further submits that upon completion of the said inspection, the Airport Authority of India shall submit its report to the Directorate General of Civil Aviation, which shall thereafter proceed further in accordance with law.

Having regard to the aforesaid submissions and the need for clarity and accountability in the progress of the project, the Director of Airport Authority of India as well as Director of Alliance Air Aviation Limited are directed to file their personal affidavits indicating the present status of compliance, the steps

taken pursuant to the Court's earlier directions, and the timeline within which the remaining statutory and operational requirements shall be fulfilled. The affidavits shall be filed before the next date of hearing.

It is further observed that essential basic amenities at the Bilaspur Airport; such as drinking water facilities, functional and hygienic toilet blocks, canteen and refreshment services, proper seating arrangements, adequate lighting, clean waiting areas, and other fundamental conveniences are either grossly insufficient or not effectively available to the passengers and members of the public. The overall state of upkeep and public-facing infrastructure at the airport appears to be unsatisfactory and below the minimum standards expected at a public aviation facility.

The availability of these basic amenities is not merely a matter of comfort but is an indispensable component of public safety, dignity of passengers, and the proper functioning of an airport that caters to

regular civilian movement. The lack of these facilities, despite repeated emphasis by this Court in earlier proceedings, reflects a serious lapse on the part of the authorities responsible for airport management and coordination.

In view of the aforesaid deficiencies, the Chief Secretary, Government of Chhattisgarh, is directed to file his personal affidavit explaining (i) the present status of each of the required basic amenities; (ii) the reasons for the delay or failure in ensuring their availability; (iii) the immediate steps taken after the last order of this Court; (iv) a clear and time-bound action plan for ensuring that all mandated passenger-related facilities are fully established, operational, and maintained at standards befitting a public airport; and (v) the details of funds sanctioned, released, and utilized for the development of the airport, along with an explanation regarding any unutilized or diverted funds. The affidavit shall be filed on or before the next date of hearing.

Anu	List these cases for further monitoring on 24.11.2025. Sd/- (Bibhu Datta Guru) Judge Sd/- (Ramesh Sinha) Chief Justice
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