

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPIL No. 37 of 2017**

Kamal Kumar Dubey S/o Shri N. P. Dubey, Aged About 52 Years Freelance Journalist And Stringer, D D News R/o Vinoba Nagar, Bilaspur Chhattisgarh

---- Petitioner**Versus**

1. Union Of India Through Its Secretary, Ministry Of Civil, Aviation, North Block, New Delhi
2. Airport Authority Of India Ltd., Corporate H Q S, Rajiv Gandhi Bhawan, Safdarganj, Airport, Block - A, New Delhi 110003
3. State Of Chhattisgarh, Through Chief Secretary, Mantralaya, Mahanadi Bhawan, Naya Raipur Chhattisgarh
4. Collector, District Bilaspur Chhattisgarh

---- Respondents**WPIL No. 67 of 2017**

1. Chhattisgarh High Court Practicing Advocated Bar Association A Registered Society, Having Its Office At New High Court Premises, Bodri, Bilaspur Chhattisgarh Through Its Secretary Shri Gurudev I. Sharan S/o Late Shri Ishwar Sharan, Aged About 42 Years, R/o R. K. Residency Colony Tifra, Bilaspur District Bilaspur Chhattisgarh
2. Badsah Prasad Singh Advocate , S/o Late Shri Jagdish Narayan Singh, Aged About 52 Years Member Of Chhattisgarh State Bar Council, R/o Joy Residency, Quarter No. 130 C, Bilaspur Chhattisgarh

---- Petitioners**Versus**

1. Union Of India Through Secretary, Ministry Of Civil Aviation, B Block, Rajiv Gandhi Bhawan, New Delhi
2. Ministry Of Defence, Through Its Secretary, South Block, New Delhi
3. Air Ports Authority Of India Rajiv Ghandi Bhawan, Safdarjung Airport, New Delhi 1100033 Through Its Chairman
4. State Of Chhattisgarh, Through Secretary, Department Of Civil Aviation, Mahanadi Bhawan, Mantralaya Capital Complex, Naya Raipur Chhattisgarh
5. Director Of Civil Aviation, Directorate Of Civil Aviation, Mahanadi Bhawan, Mantralaya Capital Complex, Naya Raipur, Chhattisgarh

---- Respondents

For respective Petitioners	: Shri Saleem Kazi, Shri Alok Chandra Rishi and Shri Animesh Verma, Advocates.
For Respondent/UOI	: Shri B. Gopa Kumar, Assistant Solicitor General.
For Respondent/State	: Shri J.K. Gilda, Advocate General with Shri Prafull N. Bharat, Additional Advocate General.
For Respondent/AAOI	: Shri Sunil Sahu, Advocate.

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice
Hon'ble Shri Parth Prateem Sahu, Judge

Order on Board

10/12/2018

Per Ajay Kumar Tripathi, Chief Justice

1. Heard counsel for the parties.
2. The old saying that 'all is well that ends well' seems to apply in the present PIL because it is only after constant monitoring, cajoling and firm intervention by the Court that Bilaspur Aerodrome has been finally issued a license by the DGCA for public use and is now available for commercial operation.
3. The biggest impediment in getting the Airport permission and license was failure of the airport to meet the standards. Now that the DGCA has finally issued the license, the impediment coming in the way for commercial use of the Airport stands addressed.
4. So far as services to be provided by way of connectivity is concerned, that cannot be made an issue in the present writ application. It is now for commercial Airlines to make their own assessments as to the commercial viability and profitability.
5. However, the Court has been informed that expression of interest has been invited by the Ministry of Civil Aviation and by the year end, the response will be opened and considered by the Ministry.
6. Be that as it may, the Court expresses its appreciation for all the hard work done by the counsels but for whose persistent effort, may be the success reached would not have been achieved.
7. Writ applications stand disposed off now.
8. Personal presence of the official Respondents stand dispensed with.

Sd/-

(Ajay Kumar Tripathi)
CHIEF JUSTICE

Sd/-

(Parth Prateem Sahu)
JUDGE