

HIGH COURT OF CHHATTISGARH, BILASPUR
Order Sheet

Writ Petition (PIL) No. 37 of 2017

Kamal Kumar Dubey **Versus** Union of India & Others

alongwith

Writ Petition (PIL) No. 67 of 2017

21/08/2020	Shri Ashish Shrivastava, Shri Sudiep Shrivastava and Shri Sandeep Dubey, Advocates for the Petitioners. Shri B. Gopa Kumar, Assistant Solicitor General for Union of India/Respondent No. 1. Shri Anumesh Shrivastava, Advocate for Respondent No.2/Airport Authority of India Ltd. Shri S.C. Verma, Advocate General with Shri Sudeep Agrawal, Deputy Advocate General for the State. Shri Yogesh Pandey, Advocate for Respondent No. 6. Shri Apurv Goyal, Advocate for Respondent No. 7. Shri Ashish Shrivastava, the learned counsel appearing for the Petitioner in WPIL No. 37 of 2017 submits that despite the detailed order passed by this Court on 27.01.2020, followed by the order dated 17.02.2020, the serious issues projected in the writ petition are not being given proper consideration in the hands of the authorities concerned, particularly the Central Government and the DGCA.

Shri B. Gopa Kumar, the learned Assistant Solicitor General submits that the version of the Defence/Army has already been put forth on record by filing an affidavit. The learned counsel also submits that the delay has been resulted because of the present factual scenario due to the COVID-19 pandemic, however, adding that the Ministry has given proper instructions to cause the version of the Ministry to be filed through a local authority available to the State. It is stated that a proper affidavit on behalf of the Ministry would be filed within 10 days. It is added that the version of the DGCA also will be filed within that time.

Shri Sudiep Shrivastava, the learned counsel appearing for the Petitioner in WPIL No. 67 of 2017 submits that no reply has been filed in this case, but for filing the reply in the connected case. It is pointed out by the learned counsel that the various technical issues have been raised in this writ petition, which have to be answered by the Respondents. It is pointed out that there is no point in putting the entire blame upon COVID-19 pandemic, as the situation with regard to the basic operations has come near normalcy in various other spheres. The learned counsel also points out that even the work which is stated as being done by the State is not up to the mark, insofar as the work is proceeding only on snail pace. Even the construction of the boundary wall is not completed; submits the learned counsel.

The Respondents are directed to put forth their version with regard to all the relevant aspects pointed out in the writ petitions by filing appropriate proceedings. The non-filing of reply with regard to the issue may lead to striking off the defence of the parties concerned; with regard to which, we are

not expressing our opinion for the time being and the same would be dealt in the due course.

List these matters for further consideration on 11.09.2020.

Sd/-
(P. R. Ramachandra Menon)
Chief Justice

Sd/-
(Parth Prateem Sahu)
Judge