

HIGH COURT OF CHHATTISGARH, BILASPUR
Order Sheet

WPIL No. 37 of 2017

Kamal Kumar Dubey **Versus** Union of India

WPIL/67/2017

18/01/2021	Shri Ashish Shrivastava, Shri Sandeep Dubey and Shri Sudiep Shrivastava, Advocates for the Petitioners. Shri Ramakant Mishra, Assistant Solicitor General for Union of India. Shri S.C. Verma, Advocate General with Shri Sudeep Agrawal, Deputy Advocate General for the State. In furtherance to the orders passed by this Court on the earlier occasions including the last one dated 04.01.2021, Shri S.C. Verma, the Advocate General appearing for the State submits that the inspection has been done by the authority of the DGCA on 13.01.2021 and 14.01.2021. It is stated that no deficiency has been pointed out and the State is awaiting for issuance of license in the said circumstance. Shri Ramakant Mishra, the learned Assistant Solicitor General appearing for the Central Government as well as the DGCA submits that the inspection is over as submitted by the learned Advocate General. It is stated that within one week, the report as to findings will be submitted to the Director General and if

any deficiencies are there the same will be intimated to the State to have the same cured in the requisite manner. The learned counsel further submits that if there are no deficiencies, the matter will be considered and the license will be issued within four weeks.

The submission is recorded.

Shri Ashish Shrivastava, the learned counsel appearing for the Petitioner submits that quite recently, another Airlines by name FLY BIG have also expressed their interest to run the show by operating their airline. It is stated that it is a newly formed Airline and the Managing Director and such other dignitaries of the said Airlines have visited the Bilaspur Airport and they have expressed their satisfaction with regard to the infrastructure set up by the State.

Shri Sudiep Shrivastava, the learned counsel appearing for the Petitioner in the other case submits that I.A. No. 08 of 2021 has been filed with regard to the various incidental aspects in relation to the operation sought to be made by the Airlines. The learned counsel submits that the hurdle with reference to the 600 kms for granting VGF (Viability Gap Fund) support may still remain to be a hurdle and it is for the State to make a call with regard to the further course of action. The learned counsel submits that though the Central Government is having a separate fund to make things feasible, no positive steps are being done and no reply in this regard has been filed from their part. The learned counsel further submits that the Airport Authority of India has also not

furnished the correct facts and has virtually made some misleading statements with reference to the Airlines and other aspects involved.

We do not intend to go into those aspects for the time being but for directing the authorities of the State and also the DGCA / Central Government to put forth their version also with reference to the contents of I.A. 08 of 2021, to be part of the record.

In view of the submissions made by the learned Assistant Solicitor General as to the further course of action, we find it appropriate to have the matter listed after four weeks for production of the copies of the relevant orders / license as the case may be.

List this matter on 15.02.2021.

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

Sd/-
(Parth Prateem Sahu)
Judge