

HIGH COURT OF CHHATTISGARH AT BILASPUR

Order Sheet

Writ Petition (PIL) No. 37 of 2017

Kamal Kumar Dubey Vs. Union of India & Others

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Writ Petition (PIL) No. 67 of 2017

Chhattisgarh High Court Practicing Advocates Bar Association & Another

Vs.

Union of India & Others

24/03/2023	Mr. Ashish Shrivastava, Senior Advocate, along with Mr. Aman Pandey and Mr. Ankur Diwan, Advocates, for Petitioner in WP(PIL) No.37/2017. Mr. Sudeep Shrivastava, Advocate, for Petitioners in WP(PIL) No.67/2017. Mr. Keshav Prasad Gupta, Advocate, for Respondent/Union of India. Mr. Anumeh Shrivastava, Advocate, for Respondent/Airport Authority of India. Mr. S.C. Verma, Advocate General, along with Mr. H.S. Ahluwalia, Deputy Advocate General, for Respondent/State. Mr. Apurv Goyal, Advocate, for Respondent/Air Vistara Limited. Mr. Shobhit Mishra, Advocate, for Respondent/IndiGo Airlines Limited. Learned Counsel for Union of India has filed a communication made by the Ministry of Defence to the Government of Chhattisgarh whereby a proposal has been initiated at the apex level to consider transferring ownership of the defence land adjoining to Bilaspur Airport to the Government of Chhattisgarh on payment of cost of the land by the State Government. He submits that the State Government vide its letter dated 1.12.2022 has principally agreed to take back 1012.48 acres of land. It is submitted on behalf of the Petitioners that, as per the information received, budgetary allocation has already been proposed for payment to the Defence in this regard. Under the circumstances, we propose to fix this matter in the month of April, 2023 by which time the budgetary allocation position, as has been pointed out above, may get clarified.

We expect that both, the Ministry of Defence and the State Government, would act accordingly to their proposals which are being extended to in their respective letter. Obvious it is that it may not take a shape of commercial transaction *inasmuch* as the interest of the public at large is involved.

Learned Advocate General submits that the Night Landing facility shall be proceeded with as early as 28 acres of land is handed over.

Learned Counsel for Union of India may seek instructions by the next date of hearing and file an Affidavit in respect of handing over 28 acres of land immediately so that the work of Night Landing facility can be commenced.

W.P.(PIL) No.67/2017

Heard on I.A. No.13/2023.

Issue Notice to Respondent No.8/Alliance Air, on I.A. No.13/2023, as per Rules.

Advance copy of I.A.13/2023 has already been supplied to Respondents - Union of India, Airport Authority of India, State and IndiGo Airlines Limited. They shall also file reply to the application in respect of the closure of Bilaspur-Bhopal Flight and also the closure of Bilaspur-Indore Flight subsequently. It is stated that it is under the "UDAAN 4.0 Scheme".

Learned Advocate General shall also apprise about the proposal of the approach road to the Airport. It is stated that at present there is a huge traffic at the market place road. On the earlier occasion, it was noted that another road is proposed to the Airport. Let the Advocate General also apprise the efforts taken in this regard and the development plan, if any, proposed in respect of the present approach road to the Airport.

List both these matters for hearing on 21.4.2023.

Sd/-

**(Goutam Bhaduri)
Acting Chief Justice**

Sd/-

**(P. Sam Koshy)
Judge**