

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPIL No. 37 of 2017

Kamal Kumar Dubey **Versus** Union Of India & Ors.

WPIL/67/2017

{Common Order}

17/01/2024	Shri Ashish Shrivastava, Sr. Advocate with Shri Rohishek Verma, Advocate for the petitioner in WP PIL No.37 of 2017. Shri Sudiep Shrivastava, Advocate for the petitioner in WP PIL No.67 of 2017. Shri Ramakant Mishra, Dy. Solicitor General with Shri Bhupendra Pandey, CGC and Shri Rishab Dev Singh, Advocate for Union of India. Shri Raj Kumar Gupta, Additional Advocate General for the State. Shri Anumeh Shrivastava, Advocate for the Airport Authority of India. Shri Shobhit Mishra, Advocate for the IndiGo Airlines. Shri Shobhit Koshta, Advocate for the Alliance Air (Air India). Heard. In respect of transfer of land, learned Additional Advocate General would submit that there is a frequent change of SDM for the reason of change of regime, therefore he may be allowed to take further instruction in the issue to apprise this Court about the scenario which is existing. It appears that such request appears to be reasonable. In respect of the approach road and boundary wall, learned Additional Advocate General would submit that as per the instruction approach road

would be completed by 31st of this month i.e. by 31st January, 2024.

In respect of the boundary wall, Shri Sudiep Shrivastava, learned counsel for the petitioner would submit that personal inspection had revealed that (i) 600 meters of the boundary wall stands completed; (ii) 400 meters half boundary wall has been raised and (iii) in respect of 250 meters boundary wall has not been constructed at all. He would submit that as per the information as he received, since payment were not released because of certain dispute in between the officers, the construction was hampered.

Learned Additional Advocate General would submit that he would take the correct state of measures and would pursue the matter.

Further additional reply supported by an affidavit of Vineet Bhalla has been placed on record. It is been submitted that in Alliance Air hierarchy of the post is General Manager and Assistant General Manager and not a Vice President, therefore the affidavit has been filed of Assistant General Manager. It is been submitted by the Alliance Air that because of certain cost viability and no permission was granted by DGCA for a direct flight from Delhi to Bilaspur or return flight, the flight was reverted back. He would submit that in order to make direct flight viable, certain cost viability are to be ensured which is been granted by other State like Manipur and Kerala. He referred to the Annexure R-8(A).

Since financial viability has been highlighted and it is in the domain of the experts, therefore we deem it proper to direct to hold a meeting under the Chairmanship of Chief Secretary of the State and of the responsible General

gouri	Manager/CEO of Alliance Air alongwith the representative of the DGCA who would be deputed by the Director General of DGCA and officials of the Air Port Authority shall also be part of the meeting to solve the issue of direct flight operations. List the case on 1st February, 2024. Sd/- (Goutam Bhaduri) Judge Sd/- (Radhakishan Agrawal) Judge
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