



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPPIL No. 37 of 2017

Kamal Kumar Dubey **versus** Union Of India

WPPIL/67/2017

Order Sheet

27/09/2024	Mr. Rahul Ambast. Advocate on behalf of Aman Pandey, counsel for the petitioner in WPPIL No. 37 of 2017. Mr. Sudeep Shrivastava and Mr. Sandeep Dubey, counsel for the petitioners in WPPIL No.67 of 2017. Mr. Ranbir Singh Marhas, Additional Advocate General for the State. Ramakant Mishra Dy. SGI and Ms. Anmol Sharma, Central Government Counsel for the Union of India. Mr. Anumeh Shrivastava counsel for the Airports Authority India. It is stated that during the pendency of this petition, petitioner has died and amendment application has been filed to bring his legal representatives on record in the array of petitioner in the cause title. On due consideration, the application is allowed and necessary

amendment be carried out in the cause title of the petition.

Heard.

On earlier occasion when the matter was taken up on 02.09.2024, it was mooted that in order to procure DVOR, meeting has already taken place on 05.08.2024 and the minutes were directed to be placed on record. Minutes have been placed today. A perusal of the minutes of meeting in sum and substance goes to show that DVOR is to be procured by Airport Authority of India and the State Government has agreed to bear the costs. However, fast-tracking process of the procurement was discussed since minutes of meeting purports that the process for installing DVOR at any Airport takes two years. The deliberations of the Airport Director finds place in the minutes of meeting wherein it was stated that all the rest of infrastructure were already installed except the DVOR Machine and the meeting also records that in order to expedite the allocation of DVOR for Bilaspur, the General Manager/AGM Level Officer as Nodal Officer be appointed. The submission is made before this Court that the Airport Authority of India is in continuous process of procuring DVOR Machine as it requires in many Airports and it appears that it is a recurring continuous process. Since everybody agreed that expeditious allocation is required by the next date, the

Airport Authority shall be obliged to place on record that how many DVORs are under the procurement wish list, which can be allocated to Bilaspur, without making any further drill in all the efforts made.

With respect to the working permission in respect of 286.65 acres of land, the relevant order sheets of 24.03.2023, 17.8.2023, 11.10.2023, 02.11.2023, 12.12.2023 and lastly 01.03.2024 were perused. This leads to only one factor that for development of Airport for 286.26 acres which is located at village Siltara and Rahangi wherein development working permission was already granted and though the amount was deposited, the cheque was stated to be returned. Once the permission has been granted to develop the airport of 286.65 acres that permission shall remain and that when the parties have altered their position in development of the land, it cannot be restored back as it would be covered under the doctrine of acquiescence therefore, it is made clear that in respect of development of 286.65 acres shall continue so that the public at large are benefited and in respect of dispute of quantum that is a subsequent matter, it would be decided before the appropriate forum, if so advised.

With respect to the upgradation of Airport to 4-C category, the

Rao	Detailed Project Report (DPR) is required to be prepared. By the next date, the State shall apprise and place the documents on record as to what steps have been taken in furtherance of such action plan. List it after two weeks. Sd/- (GOUTAM BHADURI) JUDGE Sd/- (RADHAKISHAN AGRAWAL) JUDGE
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