



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPPIL No. 37 of 2017

Kamal Kumar Dubey (Died) Through Lrs **versus** Union Of India &
Others
alongwith

WPPIL/67/2017

Order Sheet

07/04/2025	Proceedings of this matter have been taken through Video Conferencing. Heard Mr. Ashish Shrivastava, learned Senior Advocate assisted by Mr. Rahul Ambast and Ms. Hiya Sonchhatra, Mr. Sudeep Shrivastava, learned counsel for the respective petitioners, Mr. Y.S.Thakur, learned Additional Advocate General for the State, Mr. Ramakant Mishra, learned Deputy Solicitor General assisted by Ms. Anmol Sharma, learned counsel for the respondent/Union of India, Mr. Anumeh Shrivastava, learned counsel for the respondent-

Airport Authority of India, Mr. Shobhit Mishra, learned counsel for the respondent-Indigo Airlines.

Mr. Anumeh Shrivastava, learned counsel appearing for the respondent-Airport Authority of India submits that the some parts of the DVRO has already been received at Bilaspur and some are in transit and will be received within a month, however, there is a laxity on the part of the State/respondents and if the steps that are required for installation of the DVRO is not taken by the State, then the DVRO cannot be installed. He submits that till date, the civil and electrical works have not been started for installation of the said equipment.

Mr. Anumeh Shrivastava has further drawn attention of this Court to the fact that once the DVRO is received and all the execution works is completed, there would be requirement of Communications, Navigation and Surveillance Systems for Air Traffic Management (for short, the CNS/ATM) officers who help in installation of the DVRO and the State Government is required to make a formal request to the Airport Authority and for the said purpose, the State Government may make a formal request in the meantime so

that further unnecessary time may not be spoiled.

Mr. Ashish Shrivastava, learned Senior Advocate has drawn attention of this Court to the order dated 27.09.2024 passed by this Court according to which the State was required to file the Detailed Project Report (for short, the DPR) with respect to upgradation of the Bilaspur Airport from 3-C to 4-C category. He submits that the State has filed an affidavit on 04.11.2024 stating that the work is under progress but even after lapse of about five months, nothing has been done by the State.

Mr. Sudeep Shrivastava submits that the State was required to file affidavit on three issues, firstly with regard to the building to be constructed for installation of the DVRO, secondly the upgradation of the Airport from 3-C category to 4-C category and thirdly and the most important aspect which is of transfer of the land which is in possession of the Army to the Airport Authority. Till date, the land is in possession of the Army and no formality has been initiated by the State to transfer the said land to the Airport Authority.

Mr. Sudeep Shrivastava further submits that in some of

the States, the State Government have formed a separate Company for construction of the Airports and those Companies have successfully constructed the Airports which have now become operational also.

In response, Mr. Mishra, learned Deputy Solicitor General submits that firstly, the State is required to pay the Ministry of Defence approximately Rs. 80 Crores and then only the land could be transferred to the Airport Authority which has not been done till date by the State Government.

Mr. Thakur, learned Additional Advocate General submits that he may be granted some time so that he may obtain proper instructions on all the aforesaid issues as apprised by the learned counsel for the respective petitioners.

It is very surprising that these petitions, though not being an adversary litigation, are pending since 2017 and the work of expansion / upgradation of the Bilaspur Airport is going on at a snail's pace.

In view of the above, let the Chief Secretary to the State of Chhattisgarh file his personal affidavit indicating as to (i) what steps have been taken by the State Government for

transfer of land from the Army to the Airport Authority and it is at what stage (ii) what is the stage of construction of the building and electrical works which is required for installation of the DVRO, (iii) whether any request has been made by the State Government for appointment of CNS/ATM Officers to the Airport Authority.

The State is further directed to file the DPR as ordered on 27.09.2024 by this Court. The State/respondents may furnish any other details which may be relevant for the issues involved in these petitions.

Let these matters be listed again on **07th May, 2025** for further monitoring.

Sd/-
(Arvind Kumar Verma)
JUDGE

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE