



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPIL No. 37 of 2017

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

WPIL/67/2017

Order Sheet

06/10/2025	Heard Mr. Ashish Shrivastava, learned Senior Advocate assisted by Mr. Rahul Ambast, learned counsel for the petitioner in WPIL No.37/2017, Mr. Sudiep Shrivastava, learned counsel for the petitioner in WPIL No.67/2017, Mr. Ramakant Mishra, learned Deputy Solicitor General assisted by Ms. Anmol Sharma, learned Central Government Counsel for the Union of India, Mr.Yashwant Singh Thakur, learned Additional Advocate General for the State, Mr. Anumeh Shrivastava, learned counsel for the Airport Authority of

India, Mr. Shobhit Mishra, learned counsel for the IndiGo Airlines and Mr. Shobhit Koshta, learned counsel for the Alliance Air (Air India).

In compliance of the Court's order dated 25.07.2025, the Defence Estates Officer, Jabalpur Circle, Jabalpur Cantt, has filed his personal affidavit which is reproduced hereinbelow:-

"1. That, this Hon'ble Court vide its order dated 25.07.2025, after considering the affidavit filed by the Chief Secretary, Government of Chhattisgarh and the submissions made by the learned Advocate General for the State, was pleased to record that certain disputes subsist between the State Government of Chhattisgarh and the Ministry of Defence with regard to the payment of compensation for the acquisition of Defence land admeasuring 290.80 acres, which is required for the expansion and upgradation of Bilasa Devi Kevat Airport, Bilaspur.

2. That, this Hon'ble Court, while recording such observation, was further pleased to direct Respondent No.2 - Ministry of Defence, through its Secretary, to take an

	appropriate decision within a period of eight weeks from 25.07.2025 in respect of settlement of compensation between the State Government and the Ministry of Defence. This Hon'ble Court, in its wisdom, also observed and expressed its trust and expectation that the Ministry of Defence, Government of India, New Delhi, would arrive at a constructive decision in the interest of the citizens of Bilaspur, thereby facilitating the upgradation of Bilasa Devi Kevat Airport from "3C" category to 4C" category, so as to ensure enhanced facilities and air connectivity to the general public. 3. That, in compliance of directions of this Hon'ble Court, the answering Respondent No.2 has taken proactive efforts to resolve the issue amicably in a positive way. Accordingly, a meeting under the chairmanship of Defence Secretary was held on 09.09.2025 with Secretary, Revenue Department, Government of Chhattisgarh. 4. That, in the ibid meeting dated 09.09.2025 it was decided that State Government may consider reimbursing the amount spent for acquiring 290.80 acres of defence land by MoD on a pro-rata basis, alongwith the
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interest at bank rate applicable in the year 2014 in place of residential rates as applied uniformly for all category of land.

5. That, in the light of decision taken in the said meeting, the DEO Jabalpur Circle is in process to obtain the approval of the higher authorities on calculation of land in order to get the concurrence of the State Government of Chhattisgarh with regard to payment of compensation of 290.80 acres of defence land as decided in the meeting held on 09.09.2025. A copy of minutes of meeting dated 09.09.2025 is annexed herewith as **Annexure-R-2/1** for kind perusal of this Hon'ble Court.

6. In light of the above submissions, it is respectfully prayed that this Hon'ble Court may be pleased to accept the present affidavit filed on behalf of Respondent No.2 as compliance of the order dated 25.07.2025 in the instant Public Interest Litigation.”

In compliance of the Court's order dated 25.07.2025, the Chief Secretary, Government of Chhattisgarh has filed his personal affidavit which is reproduced hereinbelow:-

	“1. That, vide order dated 25.07.2025 the Hon'ble Court was pleased to direct the deponent to file a fresh affidavit with respect to the status of completion of installation work of DVOR. 2. It is most humbly submitted that the Civil and electrical work related to installation of DVOR has been completed as informed vide letters dated 30.09.2025 & 29.09.2025 of Executive Engineer, Public Works Department, Bilaspur Electrical and Civil respectively. Copies of said letters are filed herewith as <u>ANNEXURE D/1</u> Collectively. Copy of latest photographs are filed herewith as <u>ANNEXURE D/2</u> collectively. 3. It is respectfully submitted that with regard to dispute between the State Government and the Ministry of Defence, Govt. of India with respect to compensation, a video conference (VC) has been held under the Chairmanship of Defence Secretary, Government of India on 09.09.2025 to discuss the issue on valuation of defence land at Bilaspur. The meeting was attended by officials from the Ministry of Defence, Government of Chhattisgarh, Directorate General of Defence Estate and Army
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Headquarters. In the said VC, the Secretary of Defence, Government of India offered that the acquired land may be returned on a pro-rata basis along with interest at the prevailing bank rate of the year 2014. However, exact calculations and proposal are awaited from the Ministry of Defence, Government of India. Copy of minutes of the meeting dated 09.09.2025 is filed herewith as **ANNEXURE D/3**.

4. It is respectfully submitted that with regard to Economic Pre-feasibility Study report, the same is submitted by M/s Borkar and Mazumdar, Bilaspur on 22.09.2025. It is being examined by the Department of Aviation, Government of Chhattisgarh..”

From perusal of the affidavit filed by the Union of India, it transpires that a meeting has already been taken place between the concerned Secretaries of the State Government and the Central Government with regard to the proposal for reimbursing the amount spent in acquiring 290.80 acres of defence land and the amount has been recalculated as per the request of the State Government. Consequently, a proposal for

approximately Rs. 46 Crores approximately has been submitted to the Ministry of Defence, Government of India. The minutes of the meeting held between the parties on 09.09.2025 have been annexed to the affidavits filed by the respective authorities.

Upon examination of the minutes, it is evident that the cost of the land has been recalculated by the Ministry of Defence. The concerned authority has requested immediate action in this matter, as recorded therein. In response, Mr. Ramakant Mishra, learned Deputy Solicitor General appearing for the Union of India, has sought four weeks' time to take a decision and communicate the same to the State Government.

Accordingly, four weeks' time, and no more, is granted to Mr. Ramakant Mishra for the said purpose.

With regard to the issue concerning the night landing facility, raised by learned Senior Advocate Mr. Ashish Shrivastava and learned counsel Mr. Sudieph Shrivastava, it is stated in the affidavit of the Chief Secretary, Government of Chhattisgarh that the civil

and electrical works related to the installation of the DVOR have been completed, as per the communications dated 29.09.2025 and 30.09.2025. It is further stated that the Airport Authority of India has inspected the Bilaspur Airport, and the final approval from the Directorate General of Civil Aviation is still awaited.

The Chief Secretary, Government of Chhattisgarh is directed to clarify the position by filing a personal affidavit before the next date of hearing.

It has been pointed out by Mr. Ashish Shrivastava, learned Senior Advocate, and Mr. Sudiep Shrivastava, learned counsel that Mr. Prasann Soni, Station Manager of Alliance Air, had made a statement before this Court on 13.02.2024 (para iv), assuring that the flights currently being operated would continue to operate. However, recently a news item has been published indicating that the winter schedule has been curtailed, and flights are now allowed to operate only four days a week, with operations suspended on Friday,

Saturday and Sunday. In response, Mr. Shobhit Koshta, learned counsel appearing for Alliance Air (Air India), states that he will seek instructions in this regard and file an affidavit of the competent authority of Alliance Air (Air India) accordingly.

List these matters on **6th November, 2025**, by which date necessary affidavits be filed by the Chief Secretary, Government of Chhattisgarh as well as by the competent authority of Alliance Air (Air India).

Sd/-

(Bibhu Datta Guru)
Judge

Sd/-

(Ramesh Sinha)
Chief Justice