



CGHC010203582017

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

24/08/2026	Heard Mr. Ashish Shrivastava, learned Senior Advocate along with Mr. Udit Khatri and Ms. Ananya Pandey, learned counsel for petitioners in WPPIL No. 37/2017 as well as Mr. Sudeep Shrivastava, learned counsel for petitioners in WPPIL No. 67/2017. Also heard Mr. Suraj Patel on behalf of Mr. Shobhit Mishra, learned counsel for Indigo Airlines, Mr. Anumeh Shrivastava for Airport Authority of India, Mr. Shobhit Koshta, learned counsel for Alliance Air (Air India), Mr. Praveen Das, learned Additional Advocate General for the State and Mr. Ramakant Mishra, learned Deputy Solicitor General with Ms. Anmol Sharma and Ms.

Annapurna Tiwari, learned counsel for the Union of India.

On the last date of hearing, i.e., on 29.07.2026, this Court directed the Chief Secretary of the State to personally look into the matter concerning the public utility building situated outside the terminal and presently under construction, and to ensure that all necessary efforts are made for its completion within a period of three months. The Director, Directorate of Aviation, Government of Chhattisgarh, was also directed to file his personal affidavit apprising the Court of the further progress made in the matter.

It was further brought to the notice of this Court that the respondent-Airport Authority of India has not responded the letters issued by the State as mentioned in paragraph No. 7 of the affidavit dated 24.07.2026 filed by the State and the said respondent was directed to file an affidavit informing as to what specific steps have been taken pursuant to the letter dated 12.12.2025 and 11.02.2026 issued by the State and the matter was directed to be listed today.

In compliance of the above directions, the Director, Directorate of Aviation, Government of Chhattisgarh has filed an affidavit on 24.08.2026, the relevant portion of which reads as under:

“2. It is respectfully submitted that, as regards the public utility building situated outside the terminal building of Bilaspur Airport, the Directorate of Aviation has, vide

letter No. LAW- 42015/ 10095/ 2025/ 646 dated 14.08.2026, requested the Collector, Bilaspur, to review the progress of the work with the construction agency concerned and to ensure completion of the remaining works within the time-frame fixed by this Hon'ble Court.

It is further submitted that the construction of the public utility building is being executed by M/s Shri Bajrang Power and Ispat Ltd., Raipur. As on date, the physical progress of the work is approximately 60%: the structural work, including walls and plastering, stands completed, the roofing work is in progress, and the remaining interior and finishing works are to commence shortly. As per the time-schedule furnished by the construction agency, the work is scheduled to be completed by 20.10.2026, i.e., within the period of three months fixed by this Hon'ble Court. Copies of the letter dated 14.08.2026 and the status report of the Collector, Bilaspur, are filed herewith and marked as ANNEXURE A/1 (Colly.).

3. That, as regards the other sanctioned development works at Bilasa Devi Kenvat Airport, Bilaspur, as reported in the affidavit dated 24.07.2026, further progress has been made as per PWD letter dated 21.08.2026, which is detailed hereunder:-

(a) Extension of Apron The civil work stands completed and certified, as already reported. The associated electrical work is approximately 90% complete and shall be completed within 15 days of the completion of the apron marking work. The work order for bay design and marking has been issued to M/s Shree Laxmi Construction on 06.08.2026, and the marking work shall commence after the monsoon.

(b) Construction of boundary wall on the Airport Perimeter Pursuant to NIT No. 005/TC/26-27 dated 02.04.2026, the work order has been issued to M/s Shree Laxmi Construction on 05.08.2026, and the

work is expected to commence by 01.09.2026.

(c) Asphaltting of the Perimeter Roads Pursuant to NIT No. 1076/TC, the work order has been issued to M/s Shree Laxmi Construction on 31.07.2026, and the work is expected to commence by 01.09.2026.

(d) Runway Re-carpeting In continuation of the tender process reported in the affidavit dated 24.07.2026, a third tender call is presently underway and shall be finalised expeditiously. A copy of the updated status memo issued by the Executive Engineer, Public Works Department (B/R) Division No. 1, Bilaspur, is filed herewith and marked as ANNEXURE A/2 (Colly.).

4. That, with regard to the manpower position, it is respectfully submitted that, out of the selected candidates to whom appointment letters had been issued, as reported in the earlier affidavit dated 24.07.2026, Shri Aashish Tamrakar has joined as Chief Security Officer on 01.08.2026 and Shri Prashant Kumar has joined as Assistant Executive on 31.07.2026. In respect of the post of Accountant, the last date for submission of applications has already expired and the process of shortlisting of eligible candidates is presently underway. It is further submitted that the appointments to the posts of Accountant and AG-III shall positively be completed within a period of two months. In addition to the above, approximately 85 police personnel, under the supervision of the Chief Aerodrome Security Officer (CASO), continue to be deployed for ensuring the security of the airport, including the entry points, terminal building, Security Hold Area, vehicle gate, main gate, the entire airport perimeter and other vital installations.

5. That, as regards flight operations, Alliance Air continues to operate scheduled flights from Bilaspur Airport under the CG-VAYU Scheme of the State Government, providing connectivity to Delhi, Kolkata, Prayagraj and Ambikapur, including late-evening

operations facilitated by the night-landing infrastructure reported earlier. The operations are running regularly. The airport, holding the upgraded 3C All-Weather (IFR) licence granted by the DGCA, continues to possess the requisite infrastructure and slot capacity to cater to the operational requirements of any scheduled airline.

6. That, as regards the taking over of Bilaspur Airport by the Airports Authority of India, the State Government reiterates that the Hon'ble Chief Minister had requested the same vide letters No. 2777 dated 12.12.2025 and No. FINACC-3602/1686/2025 dated 11.02.2026, followed by the detailed reminder issued by the Secretary (Aviation), Government of Chhattisgarh, to the Chairman, Airports Authority of India, vide letter No. ESTB/10248/2025/471 dated 14.07.2026. This Hon'ble Court has, vide order dated 29.07.2026, been pleased to direct the Airports Authority of India (Respondent No. 2) to file its affidavit stating the specific steps taken pursuant to the aforesaid letters. As on date, no response has been received from the Airports Authority of India. The State Government remains ready and willing to extend full cooperation to the Airports Authority of India for the expeditious take-over of the airport for its operation, management and further development.

7. It is respectfully submitted that the State Government has, from its own resources, developed and operationalised Bilaspur Airport its upgradation to the 3C All-Weather (IFR) licensed status, the including acquisition of the defence land required for its further upgradation, and the securing of scheduled commercial flight operations under the CG- VAYU Scheme through Viability Gap Funding as detailed in the affidavits dated 16.04.2026 and 24.07.2026 already on record before this Hon'ble Court, the contents whereof are not repeated herein for the sake of brevity.

It is further respectfully submitted that, pursuant to the invitation issued by the Director, Directorate of Aviation, vide letter No. DoA/Commercial

Operation/2026-495 dated 20.07.2026 to six scheduled airline operators to evaluate the operational feasibility of commencing commercial flight services from Bilaspur Airport, no response has been received so far. The commencement of additional scheduled flights on any route is dependent upon the commercial and operational decisions of the airline operators concerned and upon the regulatory and route- allocation framework administered by the Central Government under the UDAN/Regional Connectivity Scheme. The State Government has taken, and continues to take, all steps that lie within its domain namely, creation and upgradation of airport infrastructure, obtaining and maintaining the aerodrome licence, provision of Viability Gap Funding, and active facilitation of airline operators to promote air connectivity from Bilaspur.

8. That the Collector, Bilaspur, and the district administration continue to regularly inspect and monitor the airport to oversee the works and the maintenance of passenger amenities. An inspection was carried out on 31.07.2026, and the observations made therein have been attended to. A copy of the inspection report is filed herewith and marked as ANNEXURE A/3.

9. It is respectfully submitted that the directions issued by this Hon'ble Court from time to time, insofar as they pertain to the State Government, have been faithfully acted upon, and the development and operationalisation works undertaken by the State Government stand including the substantially accomplished, with the residual works public utility building proceeding as per the time-frames indicated hereinabove. The State Government remains committed to the expeditious completion of the residual works, to the continued smooth operation of Bilaspur Airport, and to full compliance with the directions of this Hon'ble Court, and further progress in the matter shall be duly reported to this Hon'ble Court."

The Airport Authority of India, through Deputy General

	Manager, (ATSEP), Bilaspur Airport, has filed its affidavit on 21.08.2026, the relevant portion of which reads as under: <i>“2. That the present affidavit is being filed in compliance with the order dated 29.07.2026, whereby this Hon'ble Court was pleased to direct the Airports Authority of India to place on record the specific steps taken pursuant to the requests made by the Government of Chhattisgarh for taking over the operation and management of Bilaspur Airport.</i> <i>3. That the Government of Chhattisgarh had initially addressed a communication dated 12.12.2025 to the Chairman, AAI, requesting AAI to take over Bilaspur Airport, a copy of which has not been placed on record by the Learned Respondent State and the copy of which is also not available at the answering respondent's office for verification and necessary submission. Thereafter, the Secretary (Aviation), Government of Chhattisgarh, addressed a further communication dated 11.02.2026 regarding handing over of Bilaspur Airport to AAI. The said communication was duly placed on the concerned AAI e-file bearing File No. PL-11014 (11)/1/2026-PLAN- ARCH (Computer No. 301158) and the file is presently under submission with JVC and as per note dated 10.08.26 has been submitted to Department of Planning for necessary action.</i> <i>4. That subsequently, the Secretary (Aviation), Government of Chhattisgarh, addressed a detailed reminder/request dated 14.07.2026 to AAI concerning takeover of the operation, management and development of Bilaspur Airport and for finalisation of</i>
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the requisite modalities.

5. That the aforesaid communication dated 14.07.2026 was received by AAI on 04.08.2026 through an e-mail received from the office of the Member (Planning), enclosing the request letter of the Government of Chhattisgarh along with the remarks recorded thereon.

6. That immediately thereafter, being a policy matter, it was forwarded to CHQ {Member (Planning) and the matter was taken up for further consideration. As per instructions draft Memorandum of Understanding (MoU) has been forwarded to Planning Directorate on 10.08.26, for reviewing the data with respect to planning. The departmental record further reflects that the matter is under active consideration at the appropriate level at AAI Headquarters.

7. That it is respectfully submitted that the proposal of the State Government has thus been duly received, processed and taken up at the appropriate levels within AAI and the modalities for the proposed takeover are presently under consideration. The process necessarily involves examination and finalisation of the requisite administrative, operational and other modalities between the concerned authorities.

8. That the Airports Authority of India respectfully submits that the matter is being actively considered and processed at the competent level and the steps taken pursuant to the communications of the State Government may kindly be taken on record.

9. That, a copy of the relevant part of notesheet, is attached herewith as Annexure D-1.”

Mr. Ashish Shrivastava, learned Senior Advocate appearing for the petitioners in WPPIL No. 37/2017, submits that a perusal of the aforesaid affidavit filed by the AAI reveals that the matter is still under consideration at the appropriate level at the AAI Headquarters. It is submitted that, despite communications having been made as far back as 12.12.2025 and 14.07.2026, no substantial progress appears to have been made in the matter.

Mr. Ashish Shrivastava, learned Senior Advocate, as well as Mr. Sudeep Shrivastava, learned counsel appearing for the respective petitioners, further submit that although the Chakarbhata Airport is presently functional, the number of flights operating to and from different destinations has been drastically reduced. It is also submitted that the frequency of flights has been curtailed by the concerned Airline Companies without any apparent justification, thereby causing considerable inconvenience and hardship to the commuters and residents of the Bilaspur region.

In view of the aforesaid facts and circumstances, the competent authority of the Airport Authority of India is directed to file an affidavit indicating the positive and concrete steps taken by it pursuant to the communications issued by the State Government on 12.12.2025 and 14.07.2026, and to apprise this Court of the progress made pursuant thereto.

We hope and trust that, before the next date of hearing, the AAI shall take positive and concrete steps in the matter and place the progress thereof on record.

The respondent-State shall also apprise this Court of the further progress made in the construction of the public utility building.

Let these matters be listed again on **29th September, 2026** for further monitoring.

Sd/-
(Ravindra Kumar Agrawal)
JUDGE

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE