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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 17238/2022**

M/S DELMOS AVIATION PRIVATE LIMITEDPetitioner

Through: Mr. Amol Sinha, Advocate with Mr.
Rahul Kochar and Mr. Saurav Verma,
Advocates.

versus

UNION OF INDIA & ANR.Respondents

Through: Mr. Varun Mishra, SPC with Ms.
Aravya Sahay and Ms. Deepakshi
Rathore, Advocates.
Mr. Vedansh Anand, GP for UoI.

**CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA**

**ORDER
11.07.2024**

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1. The present petition impugns order dated 27th September, 2022,¹ passed by Respondent No. 1 under Section 4 of the Aircraft (Security) Rules 2011, thereby upholding the order dated 14th October, 2021,² rejecting the Petitioner's application for security clearance.

2. The Order and Appeal, refers to an adverse report from security point of view, on the basis of which the security clearance was denied. The reasons have been classified as 'secret' in nature. In compliance of order dated 17th January, 2023, the counsel for Respondents have produced the

¹ "Appeal"

² "Order"



classified material before this court, which was considered for rejecting the Petitioner's security clearance in a sealed cover and the same has been perused and returned.

3. Counsel for the Petitioner states that they are completely in dark and at least the reason for rejection could be shared with the Petitioner in a redacted form so that they would have the remedy to challenge the said reasons in accordance with law. He also places reliance on the judgement of the Supreme Court in *Madhyamam Broadcasting Limited vs. Union of India*.³

4. Counsel for the Respondent states that he will take instructions as to whether the reasons could be placed on record in redacted form.

5. The personal presence of the officer of the Respondents is dispensed with. The classified information may be brought before this Court on the next date in the sealed cover.

6. Re-notify on 25th September, 2024.

SANJEEV NARULA, J

JULY 11, 2024

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³ 2023 SCC OnLine SC 366