

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

WRIT PETITION No. 25973 of 2010

Between:

Flytech Aviation Limited, rep. by its
E.D.Capt.K.Mamatha, Begumpet,
Hyderabad.

.. Petitioner

and

The Union of India, rep. by Secretary,
Ministry of civil Aviation, New Delhi
and another

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 29.07.2015

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

1. Whether Reporters of Local newspapers Yes/No
may be allowed to see the Judgments?

2. Whether the copies of judgment may be Yes/No
marked to Law Reporters/Journals?

3. Whether Their Ladyship/Lordship wish to Yes/No
see the fair copy of the Judgment?

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

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ORDER:-

Heard learned counsel for the petitioner and learned Assistant Solicitor General appearing for the respondents. With the consent of both the parties, the main writ petition is heard and disposed of at the admission stage itself.

The present writ petition came to be filed seeking issuance of a writ of mandamus declaring the inaction on the part of the 2nd respondent in renewing the petitioner's Flight Training Approval, as illegal and arbitrary.

The averments made in the affidavit filed in support of the writ petition are that the petitioner is a Company incorporated under the Companies Act, 1956 engaged in the business of pilot training and aircraft maintenance engineering. It is stated that the petitioner has been carrying on its flight training activities since 1996 duly obtaining the necessary approvals which have been renewed periodically. It is stated that on 12.08.2010, the petitioner submitted an application to the 2nd respondent seeking renewal of the Flight Training Approval. In view of the importance of giving continued training to the students without any delay, submitted reminders on 03.09.2010, 21.09.2010, 23.09.2010 and 13.10.2010. Consequent to the orders passed thereon, the petitioner filed W.P.No.18595 of 2010 questioning the action of the 1st respondent herein and the Airport Authorities of India in imposing illegal restrictions. On 30.07.2010, this Court granted interim direction in W.P.M.P.No.23525 of 2010, directing the respondents therein not to stop the flight training operations. In the light of the same, the Airport Authority of India allowed the petitioner to carry on its flight training activities without any hindrance. Though the said fact was brought to the notice of the 2nd respondent herein, the flight training approval was not renewed. Hence, the present writ petition.

On 22.10.2010, this Court while issuing notice before admission directed the 2nd respondent to undertake an inspection of the facilities put in place by the petitioner, and based upon the assessment thereof, directed necessary approval be accorded within one week from the date of such inspection, subject to petitioner depositing a sum of Rs.5 lakhs on or before 08.11.2010. This Hon'ble Court has further directed the petitioner to continue to deposit a sum of Rs.3 lakhs on or before 10th of every succeeding month thereafter. Later on, W.P.M.P.No.10396 of 2011 was filed seeking modification of the later portion of the order passed on 22.10.2010. On 01.08.2011 this Court, after taking into consideration the circumstances stated in the said application and having regard to the facts and circumstances of the case, modified the condition contained in the later portion of the order dated 22.10.2010, by directing the petitioner to deposit a sum of Rs.1 lakh on or before 10th of the succeeding month commencing from August, 2011 onwards.

When the matter was listed today, the learned senior counsel appearing for the

petitioner would submit that a Team of experts visited Nadergul on 25.08.2013 and submitted a report with recommendations. The 1st respondent also addressed a letter dated 10.09.2013 to the Chairman, Airports Authority of India, New Delhi, informing the recommendations made by the Team of experts being accepted by the Competent Authority and accordingly the Chairman, Airports Authority of India, was advised to resolve the issue as per the recommendations contained in the report. In view of the same, the learned Assistant Solicitor General appearing for the respondents submits that no further orders are necessary, which is not disputed by the learned counsel for the petitioner.

In view of the above letter dated 10.09.2013, no further orders are necessary in the Writ Petition and the same is accordingly closed. There shall be no order as to costs.

Consequently, miscellaneous petitions, if any, pending in the writ petition shall also stand closed.

C. PRAVEEN KUMAR, J

29th July, 2015

cbs

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

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cbs