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

+ W.P.(C) 5547/2013

SUBHASH

..... Petitioner

Through: None.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Ms Anjana Gosain, Advocate for R-1
& 2.
Ms Neelam Rathore and Mr
Shaantanu Devanshi, Advocates for
R-3.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **17.07.2017**

1. None appears for the petitioner. None had appeared for the petitioner on the previous occasion as well.
2. The petitioner is a brother of Capt. Rakesh Grover who lost his life in an air accident that occurred on 29.07.2011. Late Capt. Rakesh Grover was a flying instructor with respondent no.3. It is the petitioner's allegation that Cessna Single Engine Aircraft C-152, which was being piloted by late Capt. Rakesh Grover on the fateful day, was not airworthy. The petitioner claims that although the airworthy certificate issued in respect of that aircraft had elapsed, the said aircraft was still being used.
3. In view of the seriousness of the allegation, this Court had called for the relevant files and examined the same. The respondent was also directed

to place photocopies of the relevant records on record.

4. The counter affidavit filed by respondent no.3 annexes a copy of the certificate of airworthiness and the same indicates that it was revalidated upto 14.12.2011. The learned counsel for the respondent has also drawn the attention of this Court to a check list used for renewal of the certificate of the airworthiness. This document indicates that the aircraft in question was inspected before certificate of airworthiness was renewed till 14.12.2012.

5. In view of the above, the present petition is dismissed for non-prosecution as well as on merits.

VIBHU BAKHRU, J

JULY 17, 2017

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