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IN THE HIGH COURT OF DELHI AT NEW DELHI

LPA 551/2016

M/S ADD LOUNGE SERVICES PRIVATE LIMITED

..... Appellant

Through: Ms Meenakshi Arora, Senior
Advocate with Mr Akhil Sibal, Senior
Advocate with Mr Sanjay S.Chhabra
and Ms Vijay Laxmi, Advocates.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Ms Anjana Gosain and
Ms Shalini Nair, Advocates for R-1 &
2.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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07.12.2017

**LPA 551/2016 & CM Nos.37290/2016(stay), 45775/2016(direction)
& 44601/2017(direction)**

1. The Appellant's grievance is that the security clearance granted initially on 18.01.2011, as the licensee to operate the Emirates Lounge, in terms of the Licence, which was granted by the Delhi International Airport Limited (DIAL) for ten years, was withdrawn.

2. Its writ petition was rejected by the learned Single Judge by the impugned order. At the preliminary hearing of this Appeal, the *status quo*, as existing on the date of the Single Judge's impugned judgment

– having regard to the previous interim order made in the Writ Petition, was directed to be maintained by the parties.

3. During the course of proceedings, the Court was informed that the Appellant has since entered into an Agreement with M/s Lite Bite Foods Private Limited, an existing Concessionaire having arrangement with the DIAL and operating several Units all over the country including the arrangement with the DIAL, in terms of which the Enterprise has been sold off (by the Appellant) as a going concern; M/s. Lite Bite Foods Private Limited would be its successor. Apparently, this arrangement had been approved by the DIAL, which has entered into a Novation Agreement on 28.11.2017.

4. Pursuant to these developments, M/s. Lite Bite Foods Private Limited has applied independently to the second respondent – Bureau of Civil Aviation Security, for security programme.

5. After hearing counsel for the parties and taking note of these developments, this Court is of the opinion that with the subsequent events, the controversy which led the Appellant to approach this Court does not exist. However, considering that interim orders by way of *status quo* have bound the parties till date and M/s Lite Bite's application was received by the Bureau of Civil Aviation Security, the latter – (i.e. Bureau of Civil Aviation Security) is hereby directed to take appropriate steps and ensure that its decision on the said

application for M/s. Lite Bite's Security Programme is taken within eight weeks and communicated directly to the concerned parties.

6. In the meanwhile, the *status quo*, as existing, would bind the parties for a period of ten weeks from today.

7. List on 08th February, 2018 for considering the Action Taken Report filed by the Bureau of Civil Aviation Security.

8. The Appeal is disposed of in the above terms reserving all rights and contentions to the parties.

9. *Dasti* under signatures of the Court Master.

S. RAVINDRA BHAT, J

SANJEEV SACHDEVA, J

DECEMBER 07, 2017

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