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

+ W.P.(C) 6726/2018 & CM Nos. 25505/2018 & 25506/2018

AVIA XPERT PVT LTD & ANR

..... Petitioners

Through: Mr Amitabh Chaturvedi, Mr Sumit K. Shukla and Mr Himesh Thakur, Advocates.

versus

REGIONAL DIRECTOR, BUREAU OF CIVIL
AVIATION SECURITY & ORS

..... Respondents

Through: Mr Ripu Daman Bhardwaj, CGSC with Mr T. P. Singh, Advocate for UOI.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **02.07.2018**

1. The petitioners have filed the present petition, *inter alia*, praying as under:-

“(a) Issue a writ of mandamus or any other appropriate writ, order or direction to the Respondents directing them to decide the application dated 01.09.2017 (forwarded on 05.09.2017 and received on 06.09.2017) and the online application submitted on 21.04.2018 filed by the Petitioner for further renewal of the Security Clearance dated 02.07.2013 granted to it by the Respondent No.2 in a time bound manner and further renew the security clearance granted to the Petitioner for the first time vide letter dated 07.04.2008 bearing number CAS-7(23)/2008.DIV-1 (Delhi) and renewed vide letter dated 02.07.2013 being CAS-7(23)2013-DIV-I (Aviaexpert) for the second time;

- (b) Issue a writ of prohibition or any other writ order or direction as this Hon'ble Court may deem fit to restrain the Respondents and their officers from preventing the entry of the employees of the Petitioners into the Delhi, Mumbai, Indore, Bhuj and Hyderabad airports on the strength of the airport entry passes presently issued to them with the validity till 02.07.2018 (on the basis that the presently existing security clearance to the Petitioner is valid only till 02.07.2018) and providing ground handling services as well as other airport services at various airports Pan India till a period of 14 days from the date of such decision to be taken by the Respondents on the Petitioner's renewal applications dated 05.09.2017 and 21.04.2018 and consequent revalidation of the airport entry passes of the concerned employees of the Petitioners."

2. The principal grievance of the petitioners is that although they have applied for renewal of their security clearance, the Regional Director, Bureau of Civil Aviation and Security (BCAS) has yet not processed their applications for renewal of the security clearance even after a considerable period has elapsed.
3. The present petition was moved on 29.06.2018 and on that date Mr Bhardwaj, learned counsel for the respondents had sought time to seek instructions. He, now states that the application for renewal of security clearance is being considered and inputs from the local security agencies are awaited.
4. He further states that the security passes issued to the petitioners are valid till 16.08.2018.
5. In view of the above, this Court considers it apposite to direct that the security clearance (and passes) issued to the petitioner be extended for a

further period of one week till after the respondents have taken an informed decision regarding the renewal of the security clearance to the petitioners. This is so to enable the petitioners to take appropriate remedies in the event the respondent decides against renewing the security clearance in their favour.

6. Accordingly, it is directed that the respondent shall issue an appropriate circular (to avoid any confusion in this regard) extending the security clearance of the petitioner for a further period as indicated above.

7. The petition is disposed of in the aforesaid terms.

8. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

JULY 02, 2018
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