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

+ W.P.(C) 7728/2016

DEDICATED TO AVIATION SAFETY
AND HEALTH

..... Petitioner

Through: Mr Jasmine Damkewala, Advocate.
versus

DIRECTOR GENERAL OF CIVIL AVIATION
(DGCA) & ORS.

..... Respondents

Through: Ms Shalini Nair, Advocate for Ms
Anjana Gosain, Advocate for R-1.
Mr Lalit Bhasin, Ms Ratna Dwivedi
Dhingra and Ms Chandni Sadana,
Advocates for R-4.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **21.12.2018**

CM No. 54533/2018

1. The petitioner has filed the present application, *inter alia*, praying as under:-

(i) Strike down the process and implementation of the Draft Civil Aviation Requirement, 2018 under Section 7-Flight Crew Standards, Training and Licensing Series 'J' Part I, Issue IV Rev 01, issued by the Respondent No.1 / DGCA.

OR

(ii) Direct the Respondent No 1 / DGCA to file its Statement of Reason for the coming out with the draft CAR immediately after the implementation of the 2018 CAR on 01.11.2018 in furtherance to the meaningful compliance by the said Respondent to the Order dated 02.02.2018 passed in the present matter;

(iii) Direct the Respondent No 1 / DGCA to provide the basis including scientific data and other considerations forming the

basis of each of the aspects and categories in the draft CAT notified and any fresh scientific data that it may have acquired between 01.11.2018 to 8.11.2018 in furtherance to the meaningful compliance by the said Respondent to the Order dated 02.02.2018 passed in the present matter;

iv) Direct the Respondent No 1 / DGCA to provide the basis for arriving at a completely reversed conclusion upon the same material as considered during the 7 month long deliberation process in furtherance to the meaningful compliance by the said Respondent to the Order dated 02.02.2018 passed in the present matter.”

2. The petitioner is essentially, aggrieved by issuance of a draft CAR. It is the petitioner’s case that the respondents have, within one week of issuance of CAR, issued draft CAR without any reasons.
3. This Court is not inclined to examine the said contention in this application. The above captioned writ petition was disposed of in terms of the order dated 02.02.2018. If the petitioner is now aggrieved by any further action, it would be required to move a substantive petition.
4. Needless to state that the petitioner would be at liberty to raise their suggestions/objections with regard to the draft CAR now issued by the respondents. The learned counsel appearing for the respondents also confirms that the petitioner will also be afforded an opportunity to be heard.
5. The application is dismissed.

VIBHU BAKHRU, J

DECEMBER 21, 2018/MK