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HIGH COURT OF CHHATTISGARH, BILASPUR**Review Petition No. 247 of 2019**

*{Arising out of order dated 10.12.2018 passed by the learned Division Bench in Writ
Petition (PIL) No. 67 of 2017}*

1. Chhattisgarh High Court Practicing Advocates Bar Association A Registered Society, Having Its Office At New High Court Premises, Bodri Bilaspur Chhattisgarh, Through Its Secretary Shri Gurudev I. Sharan, S/o Late Shri Ishwar Sharan Aged About 42 Years, R/o R.K. Residency Colony Tifra, Bilaspur District Bilaspur, Chhattisgarh
2. Badsah Prasad Singh (Advocate) S/o Late Shri Jagdish Narayan Singh Aged About 52 Years Member of Chhattisgarh State Bar Council, R/o Joy Residency, Quarter No. 109C, Bilaspur, Chhattisgarh.

---- Petitioners**Versus**

1. Union of India Through Secretary, Ministry of Civil Aviation, B Block Rajiv Gandhi Bhawan, New Delhi.
2. Ministry of Defense, Through Its Secretary, South Block New Delhi.
3. Air Ports Authority of India Rajiv Gandhi Bhawan, Safdarjung Airport, New Delhi 1100033, Through Its Chairman.
4. State of Chhattisgarh Through Secretary, Department of Civil Aviation, Mahanadi Bhawan, Mantralaya Capital Complex, Naya Raipur Chhattisgarh.
5. Director of Civil Aviation Directorate of Civil Aviation, Mahanadi Bhawan, Mantralaya Capital Complex, Naya Raipur, Chhattisgarh.

---- Respondents

For Petitioners	:	Shri Awadh Tripathi and Shri Sandeep Dubey, Advocates.
For Respondent/UOI:		Shri B. Gopa Kumar, Assistant Solicitor General.
For Respondent/State:		Shri Chandresh Shrivastava, Deputy Advocate General.

Hon'ble Shri P. R. Ramachandra Menon, Chief Justice
Hon'ble Shri Justice Parth Prateem Sahu, Judge

Order on Board

Per P. R. Ramachandra Menon, Chief Justice

11.12.2019

1. Prayers are as follows:

“10.1 That, the Hon'ble Court may be kindly pleased to direct the respondents to produce the following records:

A. The dates of use of this Air-Strip by Hon'ble Prime Minister of India, by Central and State Ministers after formation of the State till date.

B. The expenses incurred by the State Government and Government of India on account of maintenance, security and staffing of the Chakarbhata Air Strip since formation of State of Chhattisgarh.

C. The kind and nature of facility available in the Chakarbhata Air Strip for landing and taking off of air craft.

D. The proposal which are pending before the Central Government and the State Government for the development of Chakarbhata Air port & all other related records in their possession.

10.2 That, the Hon'ble Court may be kindly pleased to issue an appropriate writ, order or direction directing the respondents to complete the official process of starting National Level Domestic Airport in Bilaspur.

10.3 That, this Hon'ble Court may kindly be pleased to issue an appropriate writ, order or direction directing the respondents to undertake the establishment of National Level Airport at Bilaspur within a specified time frame.

10.4 That, the Hon'ble Court may be pleased to grant any other relief which the Hon'ble Court deems fit and proper in the facts and circumstances of the present case.

10.5 That, the Hon'ble Court in the facts and circumstances of the present case may further be pleased to grant cost of the petition to the petitioner.”

2. Heard Shri Awadh Tripathi and Shri Sandeep Dubey, the learned counsel for the Petitioners as well as Shri B. Gopa Kumar, Assistant Solicitor General for Union

of India and Shri Chandresh Shrivastava, the learned counsel representing the State.

3. It is brought to the notice of this Court that exactly similar matter was pending before this Court which came to be finalized as per judgment dated 10.12.2018. Subsequently, on pointing out the necessity to have the issue revisited by filing Review Petition No. 170 of 2019, the matter was heard elaborately and after hearing both the sides, the judgment dated 10.12.2018 was recalled, allowing the review petition and ordering the matter to be listed for further consideration on merits.
4. In the said circumstances, we are of the view that this review petition also requires to be allowed. Accordingly, the judgment dated 10.12.2018 in WP(PIL) No. 67 of 2017, is recalled and the writ petition is restored to be heard alongwith Writ Petition (PIL) No. 37 of 2017.

Sd/-

(P. R. Ramachandra Menon)
Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge