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

+ W.P.(C) 162/2019

CAPT S. K. KAPUR

..... Petitioner

Through: Ms Sanya Kapur and Mr Sagat Aggarwal, Advocates.

versus

UNION OF INDIA

..... Respondent

Through: Ms Mallika Hiremath, proxy counsel for Mr Amit Mahajan, CGSC for UOI.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **11.01.2019**

CM Nos. 836/2019 & 837/2019

1. Exemption is allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. Issue notice.
4. The learned counsel appearing for respondent accepts notice.
5. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to the respondent to dispose of the petitioner's appeal preferred under Rule 3B of the Aircraft Rules, 1937 impugning an order dated 25.10.2018 passed by the Director General of Civil Aviation.
6. The petitioner had preferred the aforesaid appeal on 09.11.2018. The learned counsel for the petitioner has drawn the attention of this Court to CAR (Civil Aviation Requirements) dated 12.03.2007 which, *inter alia*,

provides that the appellate authority “*shall issue a speaking order, normally within 30 days from the date of appeal*”.

7. In view of the aforesaid CAR, the petitioner’s request is merited.

8. The petition is allowed and the concerned appellate authority is directed to dispose of the petitioner’s appeal as expeditiously as possible and preferably within a period of thirty days from today.

9. Insofar as the petitioner’s request to permit the petitioner to take the legal assistance during the hearing is concerned, this Court does not consider the said request justified, as the proceedings are disciplinary proceedings and the scope of remand is limited to only examining whether the punishment awarded to the petitioner is not in parity with other cases as cited by the petitioner.

10. The petition is disposed of.

11. *Dasti* under signature of Court Master.

VIBHU BAKHRU, J

JANUARY 11, 2019
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