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

+ **W.P.(C) 3500/2019**

**M/S WELCOME RETAIL PRIVATE LIMITED
AND ORS.**

..... Petitioners

Through: Mr Arvind K. Nigam, Sr. Advocate
with Mr Ankur Chawla, Mr Abhishek
Roy, Ms Kaniila Singh, Ms Megha
Gupta, Mr Pratishth Kaushal and Mr
Mehtaab Singh Sandhu, Advocates.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Ms Anjana Gosain and Ms Rabiya
Thakur, Advocates with Mr R. K.
Bhardwaj, BCAS and Ms Sonal, JE
(Law), AAI.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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05.04.2019

CM No.16072/2019

1. Allowed, subject to all just exceptions.

W.P.(C) 3500/2019 & CM No.16071/2019

2. Issue notice. Ms Gosain learned counsel appearing for the respondents accepts notice.

3. The petitioners have filed the present petition impugning the orders dated 29.03.2019, 29/30.03.2019 and a subsequent communication dated 01.04.2019. By the letter dated 29/30.03.2019, the petitioners were

informed that their requests for security clearance had been denied and consequently the Airport Entry Permits (AEPs) and Temporary Airport Entry Permits (TAEPs) issued to the employees of petitioner no.1 stood cancelled. By the subsequent communication dated 01.04.2019, petitioner no.1 was informed that the security clearance of petitioner no.1 stood cancelled with immediate effect.

4. Petitioner no.1 carries on its business through various outlets located at various airports across the country. Admittedly, the petitioners require security clearance to operate within the airport premises and without such security clearance the petitioners are disabled from carrying on their business. It is seen from the impugned communications that the same do not disclose any reason for denial of the security clearance.

5. Ms Gosain, learned counsel appearing for the respondents points out that the petitioners have an equally efficacious remedy of an appeal under Rule 4 of the Aircraft (Security) Rules, 2011.

6. In view of the above, the present petition is disposed of by granting liberty to the petitioners to avail of the alternative remedy of an appeal under Rule 4 of the Aircraft (Security) Rules, 2011.

7. Since, it is not disputed that the petitioners have been carrying on business within the airport premises since past three years; this Court considers it apposite to direct that the AEPs/TAEPs granted to the petitioners' employees be extended till the Central Government finally decides the appeal. It is so directed. The impugned letters are stayed till the appeal preferred by petitioner no.1 is finally decided. This is subject to the

petitioners filing an appeal within a period of one week from today.

7. It is clarified that all contentions of the parties are reserved.
8. The pending application stands disposed of.
9. Order *dasti* under signatures of the Court Master.

APRIL 05, 2019/MK

VIBHU BAKHRU, J