

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6191 of 2020

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Jai Prakash Mishra Son of Sri Manik Prasad Mishra Resident of Jyotipuram Colony, Khajpura, P.O. B.V. College, P.S. Rajiv Nagar, Patna.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary Ministry of Home Affairs North Block New Delhi.
2. The Secretary Ministry of Home Affairs North Block New Delhi.
3. The Secretary Department of Civil Aviation B Block Rajiv Gandhi Bhawan Safdarganj Airport New Delhi.
4. The Joint Secretary Department of Civil Aviation B Block Rajiv Gandhi Bhawan Safdarganj Airport New Delhi.
5. The Director General, Civil Aviation Opposite Safdarganj Road New Delhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar Mishra, Adv & Mr. Piyush Saurav, Adv
For the Respondent/s	:	Mr. S.D. Sanjay (ASG) & Mr. Ratnesh Kumar C.G.C

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 15-06-2020 Heard learned counsel for the parties.

Petitioner has prayed for the following relief:-

“(i) For issuance of an appropriate writ in the nature of mandamus commanding the respondent authorities, directing the different Airlines of domestic flight for not realize arbitrary cancellation fees during the period of lock down up to 31.05.2020 which is as such the entire money required for booking the journey ticket and therefore, direction may be issued accordingly to return the full booking amount to the passengers.

(ii) For declaration that creating and withholding the entire amount in credit shell for a period of one year is arbitrary.



(iii) Any other order or orders as to your Lordships may deem fit and proper in the facts and circumstances of the case.”

It has been brought to the notice of this Court by the counsels appearing for the respondents that similar issue is pending before the Hon’ble Apex Court in which the Hon’ble Apex Court has taken cognizance of the matter and has issued some interim direction also, as such petitioner, if so advised, may approach the Hon’ble Apex Court for the reliefs, as prayed, in this writ petition.

At this juncture, learned counsel for the petitioner, prays to withdraw the writ petition with liberty to approach the Hon’ble Apex Court for redressal of his grievances.

The writ petition is dismissed as withdrawn with the aforesaid liberty.

(Sanjay Karol, CJ)

(S. Kumar, J)

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