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

+ **W.P.(C) 6824/2024 & CM APPL. 28487/2024**

SATISH KUMAR SANGWAN

..... Petitioner

Through:

versus

AIRPORT AUTHORITY OF INDIA & ANR Respondents

Through: **Mr.Rudra Paliwal and Mr. R. Venkat
Prabhat, SPC for R-2**

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

% **13.05.2024**

(The proceeding has been conducted through Hybrid Mode)

CM APPL. 28488/2024

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

W.P.(C) 6824/2024 & CM APPL. 28487/2024

3. This is a writ petition under Article 226 of the Constitution of India, 1950, seeking *inter alia* the following reliefs:-

“a) Issue a writ/order/direction in the nature of certiorari or any other appropriate writ/order/direction for quashing/setting aside the impugned recovery order dated 22.11.2023 and 3.6.2022;

b) Issue a writ of mandamus or any other appropriate writ/order/direction thereby directing the respondents to the respondents to release the illegal recovered amount from the petitioner and further direct the respondent to pay the medical reimbursement and medical entitlements & release the original



documents [sale deed and other relevant documents of Property No.87, Vika Enclave, Bahadurgarh, Haryana]

c) Direct the respondent to allow the petitioner to take treatment as per the medical expert advice;

d) Direct the respondent to pay the 12% of interest on the recovery/withheld amount.”

4. Learned counsel for the petitioner submits that the petitioner despite representations, has not been apprised as to on what account and for what amounts the recoveries are being made since the impugned orders dated 22.11.2023 and 03.06.2022 are bereft of any details. He submits that the petitioner would be satisfied in case the representations sent via speed post dated 12.01.2024 and repeated again on 19.01.2024 be disposed of by the respondents.

5. In view of the above submission, this Court is of the considered opinion that such a direction can be given in the facts of the present case.

6. The Competent Authority of respondent no.1/Airport Authority of India is directed to consider the representations sent on 12.01.2024 and repeated on 19.01.2024 and dispose of the same in accordance with law.

7. The petitioner is permitted to re-submit the said representation in case such representation has not been received by the respondents in the month of January, 2024. The same be done within one week from today.

8. The Competent Authority of respondent no.1 shall dispose of the said representation within four weeks from the date of the receipt. It shall afford an opportunity of hearing to the petitioner. In case the petitioner seeks to furnish any document, he shall be permitted to submit those also. The date, time and venue of hearing shall be communicated to the petitioner well in advance.



9. The Competent Authority shall also keep in mind the NOC issued by it on 28.12.2010 while disposing of the representation.

10. The order passed shall be furnished to the petitioner within one week of the decision having been passed. Needless to say, the petitioner is at liberty to take appropriate steps against the said order in case the need so arises.

11. The writ petition is disposed of in the above terms with no order as to costs.

TUSHAR RAO GEDELA, J

MAY 13, 2024

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