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

+ **CONT.CAS(C) 1767/2023**

DAE (SY 22) 13 IRELAND DESIGNATED ACTIVITY COMPANY

..... Petitioner

Through: Mr. Ameya Gokhale, Mr. Rishab Jaisaini and Mr. Ambarish Deenadhyaalraj, Advs.

versus

GO AIRLINES (INDIA) LTD.

..... Respondent

Through: Mr. Neeraj Kishan Kaul, Sr. Adv. with Mr. Diwakar Maheshwari, Ms. Pratiksha Mishra, Mr. Vishnu Sriram, Mr. Shreyas Edupuganti, Ms. Pratiksha Agarwal, Ms. Karunya Lakshmi, Mr. Deepak Joshi and Mr. Raghav Agarwal, Advs. for RP. Ms. Ragini Sharma and Mr. Raghav Mittal, Advs. for R-4 and 8. Mr. Dheeraj Nair, Mr. Angad Baxi, Ms. Vishrutyi Sahni and Ms. Muskaan Gupta, Advs. for CoC.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

27.05.2024

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1. Learned Counsel appearing on behalf of the Petitioner submits that an affidavit has been filed on behalf of the Petitioner today. However, the same is not on record. A hard copy of the affidavit has been handed over to the Court.

1.1 Registry is directed to scan and upload the same, so that it remains embedded in the case file.

2. Learned Counsel for the Petitioner lays emphasis on paragraph 7 of the affidavit which reads as under:



“7. In light of the above subsequent intervening events, namely, the passing of the said judgment dated 26th April 2024 and the deregistration of the Petitioner’s two Aircraft, the Petitioner does not wish to pursue the present Contempt proceedings. The Petitioner respectfully submits to the Orders that may be passed by this Hon’ble Court against the Contemnor in the present proceedings.”

3. This Court had by its Order dated 07.03.2024 issued notice to show cause as to why proceedings of contempt be not initiated against the Respondent/RP. In pursuance thereof, an affidavit dated 01.04.2024 in reply with documents running into almost 500 pages has been filed by the Respondent/RP.

3.1 It has been contended that the inability of the Corporate Debtor [Respondent/Go Air] to resume commercial operations since after July 2023 led to a situation of no cash flow and with the limited resources available, the Respondent/RP has tried to discharge his duties as a Resolution Professional to preserve the assets of the Corporate Debtor to the best of his ability.

4. In view of the affidavit filed by the Petitioner, the statement made today, and keeping in mind the petition from which the orders were emanating have been finally disposed of by this Court, the Respondent/RP is discharged from these proceedings.

5. The Petition is accordingly disposed of.

6. Parties will act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

MAY 27, 2024/r

[Click here to check corrigendum, if any](#)