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

+ **W.P.(C) 39/2020 & CM APPL. 150/2020**

SACHIN KUMAR

.....Petitioner

Through: None

versus

UNION OF INDIA & ORS

.....Respondent

Through: Ms. Anjana Gosain, Advocate for R-1 and 2.

Mr. Rishad Chowdhury, Mr. Rajesh Ranjan, Mr. Adil Vasudeva and Mr. Ashutosh Agarwal, Advocates for R-3.

Mr. Pankaj Seth, Advocate for R-7.

Mr. Rajesh Kumar, SPP, CBI with Mr. Yash Narain, Mohd. Changez Ali Khan and Ms. Mishika Pandita, Advocates for CBI.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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19.12.2024

1. None appears for the petitioner.
2. The petitioner has filed the above captioned petition as a Public Interest Litigation, *inter alia*, praying as under:

“(a) issue a writ of mandamus directing the respondent no. 1 to initiate enquiry proceedings against the respondents no. 4-6 and any other officials of respondent no. 3 who are involved in sanctioning and obtaining insurance policies for the aircrafts as detailed in the present petition between the years 2009-2010 till date;



(b) writ of mandamus directing the respondent no. 2 to initiate appropriate enquiry proceedings against the officers of respondent no. 7 who are involved in the issuance of insurance policies as detailed in the present petition;

(c) both the aforesaid enquiries be conducted under the supervision of this Hon'ble Court;

(d) a writ of mandamus be issued directing the respondents no. 3 and 7 to recover the premium amounts of the policies obtained from the salary /pension / retirement benefits of the officers found guilty in the course of enquiry; and

(e) writ of mandamus be issued directing appropriate investigation authorities to seize all original documents from respondent no. 3 and respondent no. 7 pertaining to the said insurance policies and after registering a first information report, investigation be carried out as to the penal offences committed while obtaining / issuing the said insurance policies;

(f) Pass such other and further order which as this court may deem fit and proper in the facts and circumstances of the case.”

3. It is the petitioner's case that insurance policies have been taken out in respect of certain aircrafts, which were not considered fit to fly; had been cannibalized; and had been declared to be sold to third parties. The petitioner relates that the several aircrafts which were not considered fit to fly were insured by exaggerating their value.

4. The concerned airlines (Air India) has filed an affidavit clearly disclosing that even aircrafts which are not in active service are required to be insured for several reasons. It is also noted that there is no credible empirical data to suggest exaggeration in the value of the aircrafts, as alleged.



5. In view of the above we consider it apposite to close the present petition. It is so directed.

VIBHU BAKHRU, ACJ

TUSHAR RAO GEDELA, J

DECEMBER 19, 2024

Aj