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

+ W.P.(C) 12770/2023

CAPTAIN SUDIPT SEN

.....Petitioner

Through: Mr. Veerandra Mohan, Adv.
versus

DIRECTOR GENERAL OF CIVIL AVIATION & ORS.

.....Respondents

Through: Ms. Nidhi Raman (CGSC) along with
Ms. Ridhi Kapoor, Adv.
Mr. Darpan Wadhwa (Sr. Adv) along
with Mr. Rishad Ahmed, Ms. Azeem
Samuel, Mr. Amit K. Mishra, Mr.
Mitakshara Goyal, Mr. Akshat
Hansaria, Mr. Avdesh Bairwa, Mr.
Anunay Kumar, Adv.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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23.05.2025

CM APPL.32010/2025 (filed on behalf of R-4 for directions)

1. The present application has been filed by respondent no.4 intimating that the petitioner has refused to give the declaration as sought by the petitioner to the effect that he has no outstanding claims and disputes against the said respondents.

2. It is rightly pointed out by the learned Senior Counsel for the applicant that the declaration has been sought in terms of the statement recorded in Paragraph 10 of the order dated 01.05.2025 which reads as under:-

“10. Learned counsel for the petitioner submits, on instructions, that he has no surviving grievance against any of the respondents, including the respondent no. 4.”



3. As such, *prima facie*, this Court finds no justification in the petitioner refusing to give the aforesaid declaration, particularly, since the respondent no.4 has acceded to the request of the petitioner for issuance of a certificate in the manner agreed upon by the parties and as recorded in Paragraph-4 of the order dated 01.05.2025. Paragraph-4 of the order dated 01.05.2025 is reproduced as under:

“4. During the course of mediation, it has been agreed that in supersession of the aforesaid certificates, Tata SIA Airlines Ltd. (respondent no.4) would furnish a fresh certificate reading as under:-

“Certificate:

This is to certify that Capt Sudipt Sen (AT PL 2170) was employed with Tata Sia Airlines (since acquired by AIR INDIA) from 05 October 2015 to 10 September 2020. During his tenure in Tata SIA Airlines, he was not involved in any accident or serious incidents in which any blame was attributed to him.””

4. Learned senior counsel for the applicant submits that the undertaking as recorded in Paragraph-10 of the order dated 01.05.2025 is an integral and vital part of the understanding between the parties, on the basis of which the order was passed.

5. In the circumstances, it has been enquired from learned counsel for the petitioner whether the petitioner continues to abide by his statement as recorded in paragraph-10 of the order dated 01.05.2025.

6. Learned counsel for the petitioner seeks some time to take instructions.

7. List on 26.05.2025 at the “*Top of the Board*”.

SACHIN DATTA, J

MAY 23, 2025/uk