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

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W.P.(C) 4454/2020

DELHI INTERNATIONAL AIRPORT LIMITED ..... Petitioner  
Through: Ms. Milanka Chaudhar, Mr. Siddharth  
Mehra and Mr. Depan Seth, Advs.

versus

UNION OF INDIA THROUGH MINISTRY OF HOME AFFAIRS &  
ORS. .... Respondents

Through: Mr. Farman Ali and Ms. Astu  
Khandelwal, Advocates for R-1, 2 &  
5  
Mr. Digvijay Rai and Mr. Archit  
Mishra, Advocates for R-4/AAI

**CORAM:**

**HON'BLE MR. JUSTICE MANMOHAN**

**HON'BLE MR. JUSTICE SAURABH BANERJEE**

**ORDER**

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**27.02.2023**

On the last date of hearing, learned Central Government Standing counsel had stated that there is difference in the stand taken by the three Ministries i.e., Ministry of Home Affairs (MHA), Ministry of Defence (MoD) and Ministry of Civil Aviation (MoCA).

Today, learned central government standing counsel states that he has received Office Memorandum (O.M.) dated 24<sup>th</sup> February, 2023 from the Deputy Secretary to the Government of India, Ministry of Civil Aviation. The relevant portion of the said O.M. reads as under:-

*“3. In the light of the position above MoCA is of the view that there is no requirement for filing of separate affidavit by MoCA as the matter is being amicably settled between both the Ministries. Therefore, it is requested to give suitable instruction to the counsel so that the same may be apprised to the Hon’ble High Court”*



In view of the aforesaid O.M. which has been handed over in Court, learned Central Government Standing counsel prays for some time to file an updated comprehensive counter affidavit. Let the needful be done within four weeks. Rejoinder affidavit, if any, be filed before the next date of hearing.

List on 25<sup>th</sup> May, 2023.

At this stage, learned counsel for Airport Authority of India (AAI) states that his instructions are that the land in question is owned by the AAI and comes under the jurisdiction of South Delhi Municipal Corporation for the purpose of house tax.

In view of the aforesaid O.M. dated 24<sup>th</sup> February, 2023, learned counsel for AAI is directed to obtain fresh instructions and file a fresh affidavit, if required, within four weeks.

**MANMOHAN, J**

**SAURABH BANERJEE, J**

**FEBRUARY 27, 2023**  
**AS**