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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: Mr. Milanka Chaudhury,  
Mr. Siddharth Mehra and Mr. Depan  
Seth, Advocates

versus

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

Through: Mr. Ravi Prakash, CGSC with  
Mr. Farman Ali, Mr. Aman Rewaria  
and Ms. Usha, Advocates for R-1, 2  
& 5  
Mr. Tarveen Singh Nanda, Standing  
Counsel with Mr. Ankur Mishra,  
Advocate for DCB alongwith  
Mr. Sudesh, Tax Supdt., DCB  
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**

**25.05.2023**

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**CM APPL.28419/2023**

1. Present application has been filed by the Airport Authority of India seeking liberty to file a fresh counter affidavit.
2. Learned counsel for the applicant/respondent no.4 states that it had been incorrectly stated in the counter affidavit that the total land which was transferred to the answering respondent by the Delhi Cantonment Board was 718.85 acres.



3. He further states that in February, 2023, the applicant/respondent no.4 upon receipt of documents of mutation from the Office of Defence Estates Officer, Delhi Cantonment Board realised that the total area transferred by the Delhi Cantonment Board to the applicant/respondent no.4 is 1438.2017 acres. He states that in view of the aforesaid subsequent development, the present application has been filed seeking liberty to file a fresh counter affidavit.

4. Keeping in view the aforesaid, the present application is allowed and the applicant/respondent no.4 is given liberty to file a fresh counter affidavit within four weeks.

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1. After some arguments, learned counsel for the parties pray for some time to obtain instructions.
2. List on 27<sup>th</sup> July, 2023.
3. The matter is directed to be treated as part-heard.

**MANMOHAN, J**

**SAURABH BANERJEE, J**

**MAY 25, 2023**  
**AS**