



\$~89

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

+ W.P.(C) 12770/2023 and CM APPL.50317/2023

**CAPTAIN SUDIPT SEN**

.....Petitioner

Through: Mr. Veerendra Mohan and Mr.  
Pranav Sachdeva, Advocates.

versus

**DIRECTOR GENERAL OF CIVIL AVIATION & ORS.**

.....Respondents

Through: Ms. Nidhi Raman, CGSC alongwith  
Mr. Aakash Mishra, Advocates  
alongwith Mr. K. Ramesh Babu,  
Director AAIB, for R1.

Mr. Darpan Wadhwa, Sr. Adv.  
alongwith Mr. Rishad Ahmed, Mr.  
Azeem Samuel, Mr. Amit K. Mishra,  
Ms. Mitakshra Goyal and Mr. Anunay  
Kumar, Advocates for Air India/R4.

**CORAM:**

**HON'BLE MR. JUSTICE SACHIN DATTA**

**ORDER**

**01.05.2025**

%

1. *Vide* order dated 15.04.2025, the parties were referred to mediation for the purpose of pursuing an amicable resolution of the matter.
2. The primary grievance of the petitioner stems from two certificates viz. Accident Certificate dated 10.09.2020 (appended as Annexure-P8) and the Revised Accident Certificate dated 02.03.2023 (appended as Annexure P13) [hereinafter '*the certificates*'], both of which have been furnished by Tata SIA Airlines Ltd. (respondent no.4).
3. According to the petitioner, the said certificates are stigmatic in nature inasmuch as it is implied therein that the petitioner was involved in a serious incident for which he was responsible.



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.”*

5. It is evident from the above that Tata SIA Airlines Ltd. (respondent no.4) does not seek to make any attribution or fasten any blame on the petitioner whatsoever with regard to any accident or ‘serious incident’ during the period when the petitioner was in the employment of the said respondent / Tata SIA Airlines Ltd. The aforesaid allays the concern/s of the petitioners as regards the certificate/s issued by the respondent no.4.

6. The other surviving grievance of the petitioner is based on an apprehension that the Report submitted by the Aircraft Accident Investigation Bureau dated 29.10.2020 titled as “Final Investigation Report of Serious Incident to M/s. Vistara A-320 Aircraft VT-TTN on 04.07.2019” is stigmatic in nature inasmuch as it implicitly blames the petitioner for the incident that took place on 04.07.2019.

7. Learned standing counsel for the Aircraft Accident Investigation Bureau (AAIB / respondent no.2) has categorically stated that the purport of the aforesaid Report is not to apportion blame or to assess individual or collective responsibility. It is further stated that, in fact, the investigation does not apportion or fasten any blame on the petitioner at all.

8. There is merit in the aforesaid contention of the learned standing counsel for the AAIB / respondent no.2. This Court does not find anything



in the aforesaid Report which fastens any blame or holds the petitioner responsible for the ‘serious incident’ that allegedly took place on 04.07.2019. As such, the petitioner’s apprehension on this count is misplaced.

9. It is clarified that the Report of the Aircraft Accident Investigation Bureau dated 04.07.2019, will not come in the way of the petitioner seeking gainful employment in any organization.

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.

11. Accordingly, the present petition is disposed of.

**SACHIN DATTA, J**

**MAY 1, 2025/at**