

AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL

APPEAL No. 03/2012

With I.A. No.09 of 2012

(Under Section 18(2) of the Airports Economic Regulatory Authority of India Act, 2008 against the Order dated 16.04.2012 passed by the Airports Economic Regulatory Authority of India)

CORAM

Hon'ble Mr. Justice V.S. Sirpurkar
Chairman

Hon'ble Mr. Rahul Sarin
Member

Hon'ble Mrs. Pravin Tripathi
Member

In the matter of :

Federation of Indian Airlines (FIA)
V/s.

...Appellant

AERA & Anr. (MIAL)

.... Respondents

Appearances :

Mr. Ramji Srinivasan, Senior Advocate with Mr. Amit Kapur, Ms. Poonam Verma, Ms. Divya Chaturvedi, Mr. Varun Singh and Mr. Kawaljit Singh Bhatia, Advocates for the Appellant.

Mr. Atul Nanda, Senior Advocate with Mr. Naresh Kaushik, Ms. Rameeza Hakeem, Ms. Vivya Nagpal, Ms. Priyadarshi Gopal and Ms. Sanjana Ramachandran, Advocates for Respondent No. 1.

Mr. Krishnan Venugopal, Senior Advocate with Mr. Rahul Singh, Mr. Gautam Chawla and Mr. Gaurav Ray, Advocates for Respondent No. 2.

ORDER

19th October, 2012

List the matter on 9th November, 2012. In the meantime, rejoinder, if any, shall be filed.

(Justice V.S. Sirpurkar)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL

APPEAL No. 08/2012

with I.A. No.16 of 2012

(Under Section 18(2) of the Airports Economic Regulatory Authority of India Act, 2008 against the Order dated 16.04.2012 passed by the Airports Economic Regulatory Authority of India)

CORAM

Hon'ble Mr. Justice V.S. Sirpurkar
Chairman

Hon'ble Mr. Rahul Sarin
Member

Hon'ble Mrs. Pravin Tripathi
Member

In the matter of :

Consumer Online Foundation (COF)

...Appellant

V/s.

AERA & Ors.

.... Respondents

Appearances:

Mr. Anurag Sharma with Mr. Prashant Kumar, Advocates for the Appellant.

Mr. Atul Nanda, Senior Advocate with Mr. Naresh Kaushik, Ms. Rameeza Hakeem, Ms. Vivya Nagpal, Ms. Priyadarshi Gopal and Ms. Sanjana Ramachandran, Advocates for Respondent No. 1.

Mr. Sitesh Mukherjee with Mr. Sakya Chaudhuri & Mr. Gautam Chawla, Advocates for R-2.

Mr. Krishnan Venugopal, Senior Advocate with Mr. Rahul Singh, Mr. Gautam Chawla and Mr. Gaurav Ray, Advocates for Respondent No. 3.

Ms. Rameeza Hakeem, Advocate for Respondent No. 4/AAI.

ORDER

19th October, 2012

After considerable arguments, it is found that the necessary documents like Operation Management & Development Agreement (OMDA) and States Support Agreement (SSA) are not on record. These documents would be relevant in considering the questions raised in these appeals as to whether the MIAL or DIAL (lessee), as the case may be, was within its rights to apply and initiate proceedings for fixation of Development Fee (DF) or whether it had to be done only by Airports Authority of India (AAI).

List the matter on 9th November, 2012 for further hearing.

(Justice V.S. Sirpurkar)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL

APPEAL No. 06/2012

with I.A. No. 10 of 2012

(Under Section 18(2) of the Airports Economic Regulatory Authority of India Act, 2008 against the Order dated 20.04.2012 passed by the Airports Economic Regulatory Authority of India)

CORAM

Hon'ble Mr. Justice V.S. Sirpurkar
Chairman

Hon'ble Mr. Rahul Sarin
Member

Hon'ble Mrs. Pravin Tripathi
Member

In the matter of :

Federation of Indian Airlines (FIA)
V/s.

...Appellant

AERA & Anr. (DIAL)

.... Respondents

Appearance: Mr. Uday U. Lalit and Mr. Ramji Srinivasan, Senior Advocates with Mr. Amit Kapur, Ms. Poonam Verma, Ms. Divya Chaturvedi, Mr. Varun Singh and Mr. Kawaljit Singh Bhatia, Advocates for the Appellant.

Mr. Atul Nanda, Senior Advocate with Mr. Naresh Kaushik, Ms. Rameeza Hakeem, Ms. Vivya Nagpal, Ms. Priyadarshi Gopal and Ms. Sanjana Ramachandran, Advocates for Respondent No. 1.

Mr. C.S. Vaidyanathan, Senior Advocate with Mr. Gopal Jain, Mr. Ankur Sood, Mr. Amit Ojha, Ms. Garima Sharma and Ms. Chitra Rentala, Advocates for Respondent No. 2.

ORDER

19th October, 2012

Heard the arguments at length. Put up for further hearing on 22nd and 23rd November, 2012.

(Justice V.S. Sirpurkar)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL

APPEAL No. 11/2012

With I.A. No.11 of 2012

(Under Section 18(2) of the Airports Economic Regulatory Authority of India Act, 2008 against the order dated 20.04.2012 passed by the Airports Economic Regulatory Authority of India)

CORAM

Hon'ble Mr. Justice V.S. Sirpurkar
Chairman

Hon'ble Mr. Rahul Sarin
Member

Hon'ble Mrs. Pravin Tripathi
Member

In the matter of :

Lufthansa German Airlines & Ors.

...Appellants

Vs.

AERA & Anr. (DIAL)

.... Respondents

Appearances :

Mr. Ramji Srinivasan, Senior Advocate with Mr. Amar Dave, Mr. Ramesh Vaidyanathan, Ms. Anusha Jacob and Mr. Chirag M. Shroff, Advocates for the Appellants.

Mr. Atul Nanda, Senior Advocate with Mr. Naresh Kaushik, Ms. Rameeza Hakeem, Ms. Vivya Nagpal, Ms. Priyadarshi Gopal and Ms. Sanjana Ramachandran, Advocates for Respondent No. 1 (AERA).

Mr. C.S. Vaidyanathan, Senior Advocate with Mr. Gopal Jain, Mr. Ankur Sood, Mr. Amit Ojha, Ms. Garima Sharma and Ms. Chitra Rentala, Advocates for Respondent No. 2.

ORDER

19th October, 2012

List the matter along with Appeal No. 06/2012 on 22nd and 23rd November, 2012.

(Justice V.S. Sirpurkar)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL

APPEAL No. 10/2012

With I.A. No.14 of 2012

(Under Section 18(2) of the Airports Economic Regulatory Authority of India Act, 2008 against the order dated 20.04.2012 passed by the Airports Economic Regulatory Authority of India)

CORAM

Hon'ble Mr. Justice V.S. Sirpurkar
Chairman

Hon'ble Mr. Rahul Sarin
Member

Hon'ble Mrs. Pravin Tripathi
Member

In the matter of :

Delhi International Airport Pvt. Ltd. (DIAL)

...Appellant

V/s.

AERA

.... Respondent

Appearances :

Mr. C.S. Vaidyanathan, Senior Advocate with Mr. Gopal Jain, Mr. Ankur Sood, Mr. Amit Ojha, Ms. Garima Sharma and Ms. Chitra Rentala, Advocates for the Appellant.

Mr. Atul Nanda, Sr. Advocate with Mr. Naresh Kaushik, Ms.Rameeza Hakeem, Ms. Priyadarshi Gopal and Ms. Sanjana Ramachandran, Advocates for the Respondent No.1.

Mr. Ramji Srinivasan, Senior Advocate with Mr. Amit Kapur, Ms. Poonam Verma, Ms. Divya Chaturvedi, Mr. Varun Singh and Mr. Kanwaljit Singh, Advocates for Respondent No. 2.

ORDER

19th October, 2012

List the matter along with Appeal No. 06/2012 on 22nd and 23rd November, 2012.

(Justice V.S. Sirpurkar)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL

APPEAL No. 12/2012

(Under Section 18(2) of the Airports Economic Regulatory Authority of India Act, 2008 against the Order dated 20.04.2012 passed by the Airports Economic Regulatory Authority of India)

CORAM

Hon'ble Mr. Justice V.S. Sirpurkar
Chairman

Hon'ble Mr. Rahul Sarin
Member

Hon'ble Mrs. Pravin Tripathi
Member

In the matter of :

International Air Transport Association (India) Pvt. Ltd. (IATA) ...Appellant

V/s.

AERA & Anr. (DIAL) Respondents

Appearance: Mr. Sujoy Kumar with Mr. Arindam Ghose, Advocates for the Appellant.

Mr. Atul Nanda, Senior Advocate with Mr. Naresh Kaushik, Ms. Rameeza Hakeem, Ms. Vivya Nagpal, Ms. Priyadarshi Gopal and Ms. Sanjana Ramachandran, Advocates for Respondent No. 1 (AERA).

Mr. C.S. Vaidyanathan, Senior Advocate with Mr. Gopal Jain, Mr. Ankur Sood, Mr. Amit Ojha, Ms. Garima Sharma and Ms. Chitra Rentala, Advocates for Respondent No. 2.

ORDER

19th October, 2012

List the matter on 22nd and 23rd November, 2012. In the meantime, pleadings be completed by the parties.

(Justice V.S. Sirpurkar)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL

APPEAL No. 07/2011

(Under Section 18(2) of the Airports Economic Regulatory Authority of India Act, 2008 against the Order dated 28.02.2011 passed by the Airports Economic Regulatory Authority of India)

CORAM

Hon'ble Mr. Justice V.S. Sirpurkar
Chairman

Hon'ble Mr. Rahul Sarin
Member

Hon'ble Mrs. Pravin Tripathi
Member

In the matter of :

Bangalore Int'l Airport Ltd. (BIAL) ...Appellant

Vs.

UOI & Ors. Respondents

Appearances: Mr. Arvind Datar and Mr. Parag Tripathi, Senior Advocates with Mr. Ankur Chawla, Mr. Sajjan Poovayya, Mr. Ashish Jha, Ms. Pallavi Langar, Ms. Manu Kulkarni, Ms. Smriti Dutta, Mr. Arunab Ganguly and Ms. Monisha Handa, Advocates for the Appellant.

Ms. Anjana Gosain, Advocate for Respondent No. 1.

Mr. Atul Nanda, Senior Advocate with Mr. Naresh Kaushik, Ms. Rameeza Hakeem, Ms. Vivya Nagpal, Ms. Priyadarshi Gopal and Ms. Sanjana Ramachandran, Advocates for Respondent No. 2 (AERA).

Mr. Amit Kapur with Ms. Poonam Verma, and Ms. Divya Chaturvedi, Advocates for FIA.

ORDER

19th October, 2012

List the matter on 23rd November, 2012.

(Justice V.S. Sirpurkar)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL

APPEAL No. 12/2011

(Tagged with Appeal No. 07/2011)

(Under Section 18(2) of the Airports Economic Regulatory Authority of India Act, 2008 against the Orders Nos. 5, 12, 17 and Direction No. 4 passed by the Airports Economic Regulatory Authority of India)

CORAM

Hon'ble Mr. Justice V.S. Sirpurkar
Chairman

Hon'ble Mr. Rahul Sarin
Member

Hon'ble Mrs. Pravin Tripathi
Member

In the matter of :

Bangalore Int'l Airport Ltd. (BIAL)

...Appellant

Vs.

AERA

.... Respondent

Appearances:

Mr. Arvind Datar and Mr. Parag Tripathi, Senior Advocates with Mr. Ankur Chawla, Mr. Sajjan Poovayya, Mr. Ashish Jha, Ms. Pallavi Langar, Ms. Manu Kulkarni, Ms. Smriti Dutta, Mr. Arunab Ganguly and Ms. Monisha Handa, Advocates for the Appellant.

Mr. Atul Nanda, Senior Advocate with Mr. Naresh Kaushik, Ms. Rameeza Hakeem, Ms. Vivya Nagpal, Ms. Priyadarshi Gopal and Ms. Sanjana Ramachandran, Advocates for the Respondent.

ORDER

19th October, 2012

List the matter on 23rd November, 2012.

(Justice V.S. Sirpurkar)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL

APPEAL No. 08/2011

(Under Section 18(2) of the Airports Economic Regulatory Authority of India Act, 2008 against the order dated 28.02.2011 passed by the Airports Economic Regulatory Authority of India)

CORAM

Hon'ble Mr. Justice V.S. Sirpurkar
Chairman

Hon'ble Mr. Rahul Sarin
Member

Hon'ble Mrs. Pravin Tripathi
Member

In the matter of :

GMR Hyderabad International Airport
Ltd. (HIAL)

...Appellant

Vs.

AERA & Anr.

.... Respondents

Appearances :

Ms. Garima Sharma, Advocate for the Appellant.

Mr. Atul Nanda, Senior Advocate with Mr. Naresh Kaushik, Ms. Rameeza Hakeem, Ms. Vivya Nagpal, Ms. Priyadarshi Gopal and Ms. Sanjana Ramachandran, Advocates for Respondent No. 1.

Mr. Amit Kapur with Ms. Poonam Verma, and Ms. Divya Chaturvedi, Advocates for FIA.

ORDER

19th October, 2012

List the matter on 23rd November, 2012.

(Justice V.S. Sirpurkar)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL

APPEAL No. 10/2011

(Under Section 18(2) of the Airports Economic Regulatory Authority of India Act, 2008 against the Direction No. 5 of the Order dated 28.02.2011 passed by the Airports Economic Regulatory Authority of India)

CORAM

Hon'ble Mr. Justice V.S. Sirpurkar
Chairman

Hon'ble Mr. Rahul Sarin
Member

Hon'ble Mrs. Pravin Tripathi
Member

In the matter of :

GMR Hyderabad Int'l Airport Ltd. (HIAL) ...Appellant

Vs.

AERA & Anr.

.... Respondents

Appearances :

Ms. Garima Sharma, Advocate for the Appellant.

Mr. Atul Nanda, Senior Advocate with Mr. Naresh Kaushik, Ms. Rameeza Hakeem, Ms. Vivya Nagpal, Ms. Priyadarshi Gopal and Ms. Sanjana Ramachandran, Advocates for Respondent No. 1.

Mr. Amit Kapur with Ms. Poonam Verma, and Ms. Divya Chaturvedi, Advocates for FIA.

ORDER

19th October, 2012

List the matter on 23rd November, 2012.

(Justice V.S. Sirpurkar)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL

APPEAL No. 09/2011

(Under Section 18(2) of the Airports Economic Regulatory Authority of India Act, 2008 against the Order dated 28.02.2011 passed by the Airports Economic Regulatory Authority of India)

CORAM

Hon'ble Mr. Justice V.S. Sirpurkar
Chairman

Hon'ble Mr. Rahul Sarin
Member

Hon'ble Mrs. Pravin Tripathi
Member

In the matter of :

Cochin Int'l Airport Ltd. (CIAL)

...Appellant

Vs.

AERA

.... Respondent

Appearance: Ms. Garima Sharma, Advocate for the Appellant.

Mr. Atul Nanda, Senior Advocate with Mr. Naresh Kaushik, Ms. Rameeza Hakeem, Ms. Vivya Nagpal, Ms. Priyadarshi Gopal and Ms. Sanjana Ramachandran, Advocates for the Respondent.

Mr. Amit Kapur with Ms. Poonam Verma, and Ms. Divya Chaturvedi, Advocates for FIA.

ORDER

19th October, 2012

List the matter on 23rd November, 2012.

(Justice V.S. Sirpurkar)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL

APPEAL No. 11/2011

(Under Section 18(2) of the Airports Economic Regulatory Authority of India Act, 2008 against the Direction No.5 of the Order dated 28.02.2011 passed by the Airports Economic Regulatory Authority of India)

CORAM

Hon'ble Mr. Justice V.S. Sirpurkar
Chairman

Hon'ble Mr. Rahul Sarin
Member

Hon'ble Mrs. Pravin Tripathi
Member

In the matter of :

Cochin Int'l Airport Ltd. (CIAL)

...Appellant

Vs.

AERA & Anr.

.... Respondents

Appearance: Ms. Garima Sharma, Advocate for the Appellant.

Mr. Atul Nanda, Senior Advocate with Mr. Naresh Kaushik, Ms. Rameeza Hakeem, Ms. Vivya Nagpal, Ms. Priyadarshi Gopal and Ms. Sanjana Ramachandran, Advocates for Respondent No. 1 (AERA).

Mr. Amit Kapur with Ms. Poonam Verma, and Ms. Divya Chaturvedi, Advocates for FIA.

ORDER

19th October, 2012

List the matter on 23rd November, 2012.

(Justice V.S. Sirpurkar)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member

AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL

APPEAL No. 01/2012

(Under Section 18(2) of the Airports Economic Regulatory Authority of India Act, 2008 against the Order dated 08.11.2011 passed by the Airports Economic Regulatory Authority of India)

CORAM

Hon'ble Mr. Justice V.S. Sirpurkar
Chairman

Hon'ble Mr. Rahul Sarin
Member

Hon'ble Mrs. Pravin Tripathi
Member

In the matter of :

Federation of Indian Airlines

...Appellant

Vs.

AERA & Anr. (DIAL)

.... Respondents

Appearance: Mr. Ramji Srinivasan, Senior Advocate with Mr. Amit Kapur, Ms. Poonam Verma, Ms. Divya Chaturvedi, Mr. Varun Singh and Mr. Kawaljit Singh Bhatia, Advocates for the Appellant.

Mr. Atul Nanda, Senior Advocate with Mr. Naresh Kaushik, Ms. Rameeza Hakeem, Ms. Vivya Nagpal, Ms. Priyadarshi Gopal and Ms. Sanjana Ramachandran, Advocates for Respondent No. 1

ORDER

19th October, 2012

On oral application by Mr. Srinivasan, the appeals remanded by the Hon'ble Supreme Court be listed along with Appeal Nos.03 & 08 of 2012 on 9th November, 2012.

(Justice V.S. Sirpurkar)
Chairman

(Rahul Sarin)
Member

(Pravin Tripathi)
Member