

**AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL**

**APPEAL No. 06/2012**

**(with I.A. No. 10 of 2012 & 15/2013)**

(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)**

**...Appellant**

**V/s.**

**AERA & Anr. (DIAL)**

**.... Respondents**

**Appearance:**

Mr. U.U. Lalit & Mr. Ramji Srinivasan, Senior Advocates with Ms. Poonam Verma, Ms. Divya Chaturvedi and Mr. Kunal Singh, Advocates for the Appellant.

Mr. Atul Nanda, Senior Advocate with Mr. Naresh Kaushik, Ms. Amita Kalkal Chaudhary and Ms. Aditi Gupta, Advocates for AERA.

Mr. C.S. Vaidyanathan, Sr. Advocate with Mr. Gopal Jain and Mr. Ankur Sood, Advocates for DIAL

Ms. Anjana Gosain, Advocate for UOI(MCA)

Ms. Rameeza Hakeem with Ms. Priyadarshi Gopal, Advocates for AAI.

**ORDER**  
**25<sup>th</sup> July, 2013**

**IA No.15 of 2013**

By this IA, an amendment to the appeal is sought and also permission is sought to add an additional affidavit of the pleadings. The amendment is mostly about the Single Till or Dual Till aspect whereas some other specifications have been given in the additional affidavit. This additional affidavit was served on DIAL somewhere in the month of March, 2013. Today, Shri Vaidyanathan, Sr. Advocate appearing for DIAL says that if it is to come on record then he will be required to respond to the same by filing a counter affidavit or otherwise. We do not understand as to what was being

done by DIAL, right from the month of March, 2013 up to the end of July, 2013, the DIAL could have replied to the application or at least kept its reply ready. Shri Vaidyanathan says that since there was no notice on this application, they did not file any reply. We also do not understand as to what was the reason of waiting for the orders for notice when the copies were already supplied and accepted by DIAL. Under the circumstances, we allow the amendment application as well as additional affidavit. However, we make it clear that if DIAL wants to still file any additional affidavit, they are free to do so within two weeks.

The matter shall be listed on **08<sup>th</sup> August, 2013.**

**( Justice V.S. Sirpurkar )**  
**Chairman**

**( Rahul Sarin )**  
**Member**

**( Pravin Tripathi )**  
**Member**

**AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL**

**APPEAL No. 11/2012**

**(with I.As. No.11 & 21 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. C.M. Shroff with Ms. Anusha Jacob and Mr. Abhishek Singh, Advocates for the Appellants.

Mr. Atul Nanda, Senior Advocate with Mr. Naresh Kaushik, Ms. Amita Kalkal Chaudhary and Ms. Aditi Gupta, Advocates for AERA

Ms. Anjana Gosain, Advocate for UOI(MCA)

Ms. Rameeza Hakeem with Ms. Priyadarshi Gopal, Advocates for AAI.

Mr. Gopal Jain with Mr. Ankur Sood, Advocates for DIAL.

**ORDER**  
**25<sup>th</sup> July, 2013**

List alongwith connected matters for hearing on **08<sup>th</sup> August, 2013**.

**( 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 & Ors.**

**.... Respondents**

**Appearances :**

Mr. C.S. Vaidyanathan, Sr. Advocate with Mr. Gopal Jain and Mr. Ankur Sood, Advocates for the Appellant.

Mr. Atul Nanda, Senior Advocate with Mr. Naresh Kaushik, Ms. Amita Kalkal Chaudhary and Ms. Aditi Gupta, Advocates for AERA.

Mr. U.U. Lalit & Mr. Ramji Srinivasan, Senior Advocates with Ms. Poonam Verma, Ms. Divya Chaturvedi and Mr. Kunal Singh, Advocates for Respondent No.2 (FIA)

Ms. Anjana Gosain, Advocate for UOI(MCA)

Ms. Rameeza Hakeem with Ms. Priyadarshi Gopal, Advocates for AAI.

**ORDER**  
**25<sup>th</sup> July, 2013**

List alongwith connected matters for hearing on **08<sup>th</sup> August, 2013**.

**( 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. Nishant Menon with Mr. Piyush Gupta and Mr. Prince Pawaiya,  
Advocates for the Appellant.

Mr. Atul Nanda, Senior Advocate with Mr. Naresh Kaushik, Ms.  
Amita Kalkal Chaudhary and Ms. Aditi Gupta, Advocates for AERA.

Mr. Gopal Jain with Mr. Ankur Sood, Advocates for DIAL

Ms. Anjana Gosain, Advocate for UOI(MCA)

Ms. Rameeza Hakeem with Ms. Priyadarshi Gopal, Advocates for  
AAI.

**ORDER**  
**25<sup>th</sup> July, 2013**

List alongwith connected matters for hearing on **08<sup>th</sup> August, 2013.**

**( Justice V.S. Sirpurkar )**  
**Chairman**

**( Rahul Sarin )**  
**Member**

**( Pravin Tripathi )**  
**Member**

**AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL**

**APPEAL No. 01/2013**

**with I.A. No.02, 03 & 21/2013**

(Under Section 18(2) of the Airports Economic Regulatory Authority of India Act, 2008 against the order dated 15.01.2013 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 :**

**Business Aircrafts Operators Association**

**...Appellant**

**V/s.**

**Mumbai Int'l Airport Pvt. Ltd. and Anr. (AERA)**

**.... Respondents**

**Appearances :**

Mr. Ramji Srinivasan, Senior Advocate with Mr. Sumeet Lall & Mr. Shwetabh Sinha, Advocates for the Appellant.

Mr. Krishnan Venugopal, Sr. Advocate with Mr. Sakya Singh Chaudhari, Mr. Gautam Chawla and Mr. Shantanu Ritirik, Advocates for Respondent No.1 (MIAL).

Mr. Atul Nanda, Senior Advocate with Mr. Naresh Kaushik, Ms. Amita Kalkal Chaudhary and Ms. Aditi Gupta, Advocates for AERA

**ORDER**  
**25<sup>th</sup> July, 2013**

List the matter for hearing on **05<sup>th</sup> September, 2013**.

**( Justice V.S. Sirpurkar )**  
**Chairman**

**(Rahul Sarin)**  
**Member**

**( Pravin Tripathi )**  
**Member**

**AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL**

**APPEAL No. 07/2013**

**with I.A. No. 11 of 2013 (for stay) and IA.No.29 of 2013**

(Under Section 18(2) of the Airports Economic Regulatory Authority of India Act, 2008 against the order dated 10.01.2013 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 :**

**Express Industry Council of India  
V/s.**

**...Appellant**

**AERA & Ors. (Esquire Express/MCA)**

**.... Respondents**

**Appearances :**

Mr. Ramji Srinivasan, Sr. Advocate with Mr. Ranjit Walia & Ms. Renuka Singh, Advocates for the Appellant.

Mr. Atul Nanda, Senior Advocate with Mr. Naresh Kaushik, Ms. Amita Kalkal Chaudhary and Ms. Aditi Gupta, Advocates for AERA

Mr. V. Lakshmi Kumaran with Mr. Seetharaman Sampath, Mr. Avinash Menon, & Mr. T. Sundar Ramanathan, Advocates for R-2

Ms. Anjana Gosain, Advocate for UOI (MCA)

**ORDER  
25<sup>th</sup> July, 2013**

List the matter for hearing on **08<sup>th</sup> August, 2013**.

**( Justice V.S. Sirpurkar )  
Chairman**

**(Rahul Sarin)  
Member**

**( Pravin Tripathi )  
Member**

**AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL**

**APPEAL No. 11/2013**

**with IA No. 22/2013 (for condonation of delay)**

(Under Section 18(2) of the Airports Economic Regulatory Authority of India Act, 2008 against the order dated 15.01.2013 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**

**V/s.**

**AERA & Ors. (MIAL/AAI/MCA)**

**.... Respondents**

**Appearances :**

Mr. Ramji Srinivasan, Senior Advocate with Ms. Poonam Verma, Ms. Divya Chaturvedi and Mr. Kunal Singh, Advocates for the Appellant.

Mr. Atul Nanda, Senior Advocate with Mr. Naresh Kaushik, Ms. Amita Kalkal Chaudhary and Ms. Aditi Gupta, Advocates for AERA

Mr. Krishnan Venugopal, Sr. Advocate with Mr. Sakya Singh Chaudhari, Mr. Gautam Chawla and Mr. Shantanu Ritirik, Advocates for MIAL

Ms. Rameeza Hakeem with Ms. Priyadarshi Gopal, Advocates for AAI

Ms. Anjana Gosain, Advocate for UOI (MCA)

**ORDER**

**25<sup>th</sup> July, 2013**

Considered the application for condonation of delay. We are satisfied with the explanation for the delay. Hence allowed. Delay condoned.

The reply to the appeal shall be filed within four weeks and rejoinder, if any, shall be filed within two weeks thereafter.

List the matter for hearing on **05<sup>th</sup> September, 2013.**

**( Justice V.S. Sirpurkar )  
Chairman**

**( Rahul Sarin )  
Member**

**( Pravin Tripathi )  
Member**



**AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE TRIBUNAL**

**APPEAL No. 12/2013**

**with IA No. 23/2013 (for condonation of delay)**

(Under Section 18(2) of the Airports Economic Regulatory Authority of India Act, 2008 against the order dated 15.01.2013 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 Airline & Ors.  
V/s.**

**...Appellants**

**AERA & Ors. (MIAL/AAI/MCA)**

**.... Respondents**

**Appearances :**

Mr. C.M. Shroff with Ms. Anusha Jacob and Mr. Abhishek Singh,  
Advocates for the Appellant.

Mr. Atul Nanda, Senior Advocate with Mr. Naresh Kaushik, Ms. Amita  
Kalkal Chaudhary and Ms. Aditi Gupta, Advocates for AERA

Mr. Sakya Singh Chaudhari, Mr. Gautam Chawla and Mr. Shantanu  
Ritirik, Advocates for MIAL

Ms. Rameeza Hakeem with Ms. Priyadarshi Gopal, Advocates for AAI

Ms. Anjana Gosain, Advocate for UOI (MCA)

**ORDER**  
**25<sup>th</sup> July, 2013**

Considered the application for condonation of delay. We are satisfied with the explanation for the delay. Hence allowed. Delay condoned.

The reply to the appeal shall be filed within four weeks and rejoinder, if any, shall be filed within two weeks thereafter.

List the matter for hearing on **05<sup>th</sup> September, 2013.**

**( Justice V.S. Sirpurkar )  
Chairman**

**( Rahul Sarin )  
Member**

**( Pravin Tripathi )  
Member**