

**IN THE SUPREME COURT OF INDIA**  
**CIVIL APPELLATE JURISDICTION**  
**CIVIL APPEAL NO \_\_\_\_\_ OF 2024**  
**(Arising out of SLP (C) No 1676 of 2024)**

**The Principal Secretary & Ors**

**... Appellant**

**Versus**

**Gaggal Airport Expansion Affected  
Social Welfare Committee**

**... Respondent**

**O R D E R**

- 1 Leave granted.
- 2 The appeal arises from an interim order dated 9 January 2024 of a Division Bench of the High Court of Himachal Pradesh.
- 3 CWP No 7846 of 2023 which is pending before the High Court pertains to the proposed expansion of Gaggal Airport at Kangra.
- 4 During the course of hearing of the Writ Petition under Article 226 of the Constitution, which, it appears, had been instituted by the families which would be affected by the project, a statement was made on behalf of by the State of Himachal Pradesh that the State will not dispossess anyone from the land which forms part of the notification issued under Section 11(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 notified for expansion of Gaggal (Kangra) Airport and no structure located within the land forming the subject matter of the notification

- would be demolished. The statement of the Advocate General continued to hold the field until 9 January 2024 when the impugned order was passed by the High Court.
- 5 The High Court observed that since there was a possibility that the State Government may revisit its own decision to proceed with the expansion of the Gaggal Airport after examining all aspects of the matter and in such an event there was every possibility of the time and expenses incurred in the R & R process going waste, an interim direction for the maintenance of status quo with regard to the R & R process as well as in regard to the taking of possession of land notified for acquisition and demolition was issued.
  - 6 The interim direction of the High Court dated 9 January 2024 puts a complete embargo on the State following due process of law towards the proposed expansion of the Gaggal (Kangra) Airport. Bearing in mind the time and cost over runs resulting from such blanket orders of stay on infrastructural projects, such a direction was inappropriate and uncalled for.
  - 7 During the course of the hearing Mr Kapil Sibal, senior counsel appearing on behalf of the State of Himachal Pradesh has assured the Court that the statement which was made by the Advocate General before the High Court shall continue to remain in operation in the meantime, unless the Court is moved for appropriate modification in view of any change in circumstances. We take the assurance on the record.
  - 8 In that view of the matter, we vacate the impugned order dated 9 January 2024. The High Court would be at liberty to proceed ahead with the disposal of the Writ

Petition on merits. In the event that there is any change in circumstances warranting an alteration of the statement by the Advocate General for the State of Himachal Pradesh, we grant liberty to the State to move the High Court in that regard.

9 Subject to the aforesaid clarification, the Appeal is disposed of.

10 Pending applications, if any, stand disposed of.

.....CJI.  
**[Dr Dhananjaya Y Chandrachud]**

.....J.  
**[J B Pardiwala]**

.....J.  
**[Manoj Misra]**

**New Delhi;**  
**March 07, 2024**  
GKA

ITEM NO.25

COURT NO.1

SECTION XIV

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

Petition(s) for Special Leave to Appeal (C) No(s). 1676/2024

(Arising out of impugned final judgment and order dated 09-01-2024 in CWP No. 7846/2023 passed by the High Court of Himachal Pradesh at Shimla)

THE PRINCIPAL SECRETARY &amp; ORS.

Petitioner(s)

VERSUS

GAGGAL AIRPORT EXPANSION  
AFFECTED SOCIAL WELFARE COMMITTEE

Respondent(s)

(IA No. 50964/2024 - ADDITION / DELETION / MODIFICATION PARTIES IA No. 15076/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT IA No. 33524/2024 - MODIFICATION OF COURT ORDER)

Date : 07-03-2024 These matters were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE J.B. PARDIWALA  
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) Mr. Kapil Sibal, Sr. Adv.  
Mr. Anup Rattan, Sr. Adv.  
Mr. Vaibhav Srivastava, A.A.G.  
Ms. Sugandha Anand, AOR  
Mr. Puneet Rajta, Adv.  
Mr. Rishabh Parikh, Adv.

For Respondent(s) Mr. Abhimanyu Jhamba, AOR  
Mr. Shivam Prashar, Adv.  
Ms. Thonpinao Thangal, Adv.  
Ms. Hatneimawi, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

1 Leave granted.

- 2 The appeal is disposed of in terms of the signed order.
- 3 Pending applications, if any, including the application for addition/deletion/ modification of the parties, stand disposed of.

**(GULSHAN KUMAR ARORA)**  
**AR-CUM-PS**

**(SAROJ KUMARI GAUR)**  
**ASSISTANT REGISTRAR**