WEB COPY

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2025

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

O.A. Nos.531 to 536 of 2025
and
Arb. Appln. No.734 to 737 of 2025

Celebi Ground Services Chennai Pvt. Ltd.,
Rep. by its Authorised Representative
Mr.Shailender Chaudhary .. Applicant in all applications

vs.

Airports Authority of India
Having its Corporate Headquart ers
at
Rajiv Gandhi Bhawan,
New Delhi – 110 003. ... Respondent in all applications

For Applicant in all applications: Mr.P.S. Raman
Senior Counsel for
Mr.Rahul Balaji

For Respondent in all applications : Mr.Tushar Mehta
Solicitor General of India
Mr.A.R.L. Sundfaresan
Addl. Solicitor General
for
Mr.P. Rajkumar Jhabakh
Ms.R.S. Pornima
Ms.R. Madhumitha

- - - - - -

https://www.mhc.tn.gov.in/judis

WEB COPY

These applications have been filed under Section 9 of the Arbitration and Conciliation Act, 1996 seeking interim protection on account of the termination of the Concession Agreement, dated 03.04.2023 by the respondent.

2. The applicant was appointed as a Ground Handling Contractor by the respondent under the Concession Agreement, dated 03.04.2023. On account of the security clearance granted to the applicant being cancelled by the Bureau of Civil Aviation Security(BCAS), the respondent cancelled the Concession Agreement, dated 03.04.2023. The applicant claims that the termination of the Concession Agreement, dated 03.04.2023 by the respondent is not in accordance with the terms and conditions of the Concession Agreement, dated 03.04.2023. They also claim that on account of the sudden termination, they have suffered huge losses for which, the respondent alone is liable to compensate them. The Concession Agreement, dated 03.04.2023 contains an arbitration clause, which is also not disputed by the respective counsels appearing for the respondent.

3. The respondent is represented by the learned Solicitor General of India and assisted by Mr.AR.L. Sundaresan, the learned Additional

https://www.mhc.tn.gov.in/judis

WEB COPY

Solicitor General on instructions, both of them would submit that the respondent will have to necessarily appoint a third Ground Handling Contractor on account of necessity. If the same is not appointed, they would submit that public interest will be defeated as the smooth operations of the Chennai Airport will greatly be affected. On instructions, they would also submit that the equipments owned by the applicant, which are now lying in the Chennai Airport premises will not be used either by the respondent or by any third party. The said undertaking given by the respondent through the learned Solicitor General of India as well as the learned Additional Solicitor General is recorded by this Court. Both of them would also submit on instructions that since the respondent is a Government of India undertaking, any Ground Handling Contractor can be appointed only through a public tender. They would also submit on instructions that it will be made clear that in the public tender, to be called for by the respondent for appointing a Ground Handling Contractor that the finalisation of the tender will be subject to the result of these applications as well as to the Proceedings pending before the Delhi High Court and Madras High Court with regard to the challenge made by the applicant to the cancellation of the security clearance. The said undertaking given by the respondent is also

https://www.mhc.tn.gov.in/judis

WEB COPY

recorded by this Court. In case of any violation committed by the respondent, the applicant is granted liberty to approach this Court.

4. Insofar as the other reliefs sought for by the applicant in these applications are concerned, the same can be adjudicated only after, the respondent files counter in these applications.

5. Accordingly after recording the unconditional undertaking given by the respondent that they shall not utilise the equipments / software belonging to the applicant, pending disposal of these applications and that they will float a public tender for appointing the third Ground Handling Contractor for Chennai Airport only by making it clear that the finalisation of the said tender will be subject to the result of these applications as well as the Proceedings pending before the Delhi High Court as well as Madras High Court with regard to the challenge made by the applicant to the cancellation of security clearance granted earlier to the applicant, these applications are adjourned to 07.07.2025 for filing of counter by the respondent.

https://www.mhc.tn.gov.in/judis

WEB COPY

6. To protect the interest of the applicant pending these applications, the applicant is also permitted to take inventory of their equipments after getting prior approval from the respondent. It is made clear that the respondent shall not make any objection for the applicant to take inventory.

7. Post the matter for filing of counter by the respondent on **07.07.2025.**

09.06.2025

vsi2

https://www.mhc.tn.gov.in/judis

WEB COPY

ABDUL QUDDHOSE, J.

vsi2

O.A. Nos.531 to 536 of 2025
and
Arb. Appln. No.734 to 737 of 2025

09.06.2025

https://www.mhc.tn.gov.in/judis