

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD**

TUESDAY, THE NINETEENTH DAY OF MARCH TWO THOUSAND AND TWENTY
FOUR

**:PRESENT:
THE HONOURABLE MRS JUSTICE SUREPALLI NANDA**

WRIT PETITION NO: 7227 OF 2024

Between:

1. GMR Hyderabad International Airport Limited,, Rep by Mr KBS Sarma Chief Legal Officer, GMR Aero Towers, Rajiv Gandhi International Airport, Shamshabad, Ranga Reddy District, Hyderabad 500108.
2. GMR Aero Technic Limited,, Rep by Mr KBS Sarma Chief Legal Officer, Plot No.1, GMR Hyderabad Aviation SEZ, Rajiv Gandhi International Airport, Shamshabad, Ranga Reddy District, Hyderabad 500108.

Petitioners

AND

1. Competition Commission of India,, Through its secretary, 9th Floor, Office Block-1, Kidwai Nagar, East New Delhi - 110023
2. The Addl. Director General,, Office of the Director General Competition Commission of India , 9th Floor, Office Block-1, Kidwai Nagar, East New Delhi - 110023.
3. Air Works India Engineering Private Limited,, Mumbai International Airport, Near Kalina Military Camp, Santa Cruz, East Mumbai - 400029.

Respondents

WHEREAS the Petitioners above named through their Advocate SRI P SRI RAM presented this Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or a direction more particularly one in the nature of mandamus declaring action of Respondent No. 1 in assuming jurisdiction to proceed with the investigation in case no. 30 of 2019 and also declaring that the action of Respondent No.1 rejecting the withdrawal application dated 30.10.2023 filed by the Respondent No.3 seeking withdrawal of its complainant, vide its order dated 06.12.2023, as illegal, unconstitutional, arbitrary, consequently set-aside the Order dated 16.02.2024 issued by the Respondent No.1 in Case No. 30 of 2019. and set aside the investigation report dated 21.11.2023 submitted by the Respondent No.2 which was issued during the pendency of the withdrawal application of Respondent No.3 dated 30.10.2023;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri P. Sri Raghuram, Senior Designated Counsel appearing on behalf of Sri P SRI RAM, Advocate for the Petitioners and Mrs. Ekta Bahi, SC who took notice n behalf fo the Respondent Nos.1 and 2, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Secretary, Competition Commission of India, 9th Floor, Office Block-1, Kidwai Nagar, East New Delhi - 110023
2. The Addl. Director General,, Office of the Director General Competition Commission of India , 9th Floor, Office Block-1, Kidwai Nagar, East New Delhi - 110023.
3. Air Works India Engineering Private Limited,, Mumbai International Airport, Near Kalina Military Camp, Santa Cruz, East Mumbai - 400029.

are directed to show cause on or before 22-03-2024 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

The Court made the following:

ORDER:

Heard learned Senior Designated Counsel Mr. P. Sri Raghuram, appearing on behalf of petitioners.

Notice before admission.

Mrs. Ekta Bahi, learned Standing Counsel for Competition Commission of India, takes notice on behalf of respondent Nos.1 and 2 and seeks time till 22-03-2024.

Learned counsel for the petitioner is permitted to take out personal notice to the 3rd respondent and file proof of service of notice to the 3rd respondent into the Registry.

List on 22-03-2024 in the 'motion list.'

**SD/- A.V.S.PRASAD
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The Secretary, Competition Commission of India, 9th Floor, Office Block-1, Kidwai Nagar, East New Delhi - 110023
2. The Addl. Director General,, Office of the Director General Competition Commission of India , 9th Floor, Office Block-1, Kidwai Nagar, East New Delhi - 110023.
3. Air Works India Engineering Private Limited,, Mumbai International Airport, Near Kalina Military Camp, Santa Cruz, East Mumbai - 400029. (1 TO 3 by RPAD- along with a copy of petition and memorandum of grounds)
4. One CC to SRI P SRI RAM Advocate [OPUC]
5. One spare copy

HIGH COURT

SN,J

DATED:19/03/2024

List on 22-03-2024 in the 'motion list

NOTICE BEFORE ADMISSION

WP.No.7227 of 2024

