$~67

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% ***Date of Decision: November 03rd, 2026***

\# **CNR No. DLHC010530912026**

\+ **W.P.(C) 16299/2026**

MRS. SHALINI TIWARI .....Petitioner

Through: Mr. Ajay Verma, Ms. Smriti S. Nair & Ms. Sneha Sejwal, Advs.

versus

UNION OF INDIA AND ORS. .....Respondents

Through: Ms. Anjana Gosain & Ms. Akansha Choudhary, Advs. for R-1 & R-2.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

AMIT MAHAJAN, J. *(Oral)*

1. By way of the present petition, the petitioner seeks the following prayers:

> *"a) Issue an appropriate writ, order or direction directing Respondent No. 1, Ministry of Civil Aviation, and Respondent No. 2, Directorate General of Civil Aviation, to formulate, prescribe and/or incorporate appropriate rules, regulations, guidelines and provisions in the existing Civil Aviation Requirements (CARs), as may be necessary, to address the existing regulatory gap concerning misconduct, abuse, harassment, negligence, misbehaviour and other wrongful acts committed by airline personnel against passengers;*
> *b) Direct Respondent Nos. 1 and 2 to establish a fair, transparent, time-bound and effective mechanism for the receipt, registration, investigation and redressal of complaints relating to misconduct by airline personnel, including appropriate standards of accountability, disciplinary consequences, remedial measures and deterrent provisions, so as to ensure effective protection of the rights and interests of air passengers;*
> *c) Issue an appropriate writ, order or direction directing*

Signature Not Verified
Signed By:SANJAY KUMAR
Signing Date:04.11.2026 21:02:03

Respondent No. 1, Ministry of Civil Aviation, and Respondent No. 2, Directorate General of Civil Aviation, to inquire into the harassment meted out to the Petitioner by the staff of Respondent No. 3 and to take suitable action against Respondent NO. 3 in accordance with law;
d) Pass such orders, as this Hon'ble Court may deem proper and fit in the interest of justice."

2. Briefly stated, it is alleged that when the petitioner contacted the customer care services of Respondent No. 3/IndiGo Airlines, the customer-care executive used vulgar, abusive and gendered language towards her. The petitioner thereafter made several representations to Respondent No. 3 seeking accountability and disciplinary action against the concerned employee. However, the airline allegedly failed to take any meaningful action.

3. The petitioner has filed the present petition contending that the existing Civil Aviation Requirements ('CARs') do not provide any specific mechanism to deal with misconduct, harassment or misbehaviour by airline personnel towards passengers. It is contended that though strict and deterrent consequences are prescribed for passenger misconduct, no equally effective or enforceable mechanism exists to address misconduct by airline personnel. It is contended that Respondent Nos. 1 and 2, despite being the competent regulatory authorities, have failed to address the issue despite repeated representations.

4. The petitioner, accordingly, seeks directions to Respondent Nos. 1 and 2 to formulate appropriate rules and guidelines and establish an effective mechanism for receiving, investigating and redressing complaints against airline personnel, along with conducting an inquiry into the incident in question and taking appropriate action

Signature Not Verified
Signed By:SANJAY KUMAR
Signing Date:04.11.2026 21:02:03

against respondent No. 3.

5. At the outset, it is pertinent to note that the petitioner had previously approached this Court by filing W.P.(C) No. 6450/2026, which was disposed of *vide* order dated 12.05.2026 by directing Respondent No.2 to treat the said petition as a representation and dispose of the same within thirty days.

6. Pursuant thereto, Respondent No.2 issued a communication dated 20.07.2026, noting that grievance of the petitioner in regard the said incident had already been addressed by the airline with necessary corrective and preventive actions. In these circumstances, no further direction for initiating action against respondent No. 3 in respect of the same incident is warranted. If the petitioner is still not satisfied with the action, she may pursue appropriate civil/criminal remedies in that regard.

7. As regards the prayer seeking formulation of appropriate rules and guidelines and establishment of a separate mechanism for addressing complaints against airline personnel, this Court finds no ground for interference. The formulation of rules, regulations and regulatory guidelines falls within the domain of the competent authorities and is a matter of policy.

8. The contention that the existing Civil Aviation Requirements provide a mechanism for misconduct of passengers but do not prescribe a corresponding mechanism for complaints against airline personnel, by itself, does not warrant a direction to the respondents to frame rules in the manner suggested by the petitioner. The purpose for providing mechanisms for dealing with passenger misconduct is to

Signature Not Verified
Signed By:SANJAY KUMAR
Signing Date:04.11.2026 21:02:03

ensure the safety and security of airports and flights. With regard to any unruly behaviour by airline personnel, the same can be dealt with in appropriate civil/criminal remedies.

9. This Court, in exercise of its jurisdiction under Article 226 of the Constitution of India, cannot issue a general direction compelling the Government to formulate rules or prescribe specific disciplinary measures merely because the petitioner deems it appropriate.

10. This Court exercises extraordinary and discretionary jurisdiction while deciding petitions under Article 226 of the Constitution of India. In the opinion of this Court, no such circumstance has been highlighted by the petitioner so as to warrant exercise of such jurisdiction in the present case.

11. Needless to observe, any act of misconduct or unlawful behaviour by airline personnel may be addressed by an aggrieved passenger through appropriate civil or criminal remedies, as may be available in law.

12. The petition is accordingly dismissed.

13. Pending applications (if any) also stand disposed of.

AMIT MAHAJAN, J

NOVEMBER 3, 2026
"SK"

Signature Not Verified
Signed By:SANJAY KUMAR
Signing Date:04.11.2026 21:02:03