

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPPIL No. 127 of 2021**

In Re. Roads of Chhattisgarh **Versus** State of Chhattisgarh and Ors.

WPPIL/26/2022 and WPPIL/83/2023**Order Sheet**

18/11/2024	<p>Mr. Rajeev Shrivastava, learned Senior Advocate assisted by Mr. Prateek Sharma, Mr. Saurabh Shukla, holding brief of Mr. A.S. Kachhawaha, learned Amici Curiae and Mr. Tridib Bhattacharya holding brief of Mr. Siddharth Dubey, learned counsel for the petitioner in WPPIL No. 26/2022.</p> <p>Also heard Mr. Prafull N. Bharat, learned Advocate General along with Mr. S.S. Baghel, learned Panel Lawyer, appearing for the respondent/State, Ms. Annapurna Tiwari, Ms. Anmol Sharma and Mr. Tushar Dhar Diwan, learned Central Government Counsel, appearing for Union of India/Respondent No.1 in WPPIL No. 127/2021 and WPPIL No. 83/2023 and for</p>

respondent No.10 (Railways) in WPPIL No. 26/2022, Mr. Dheeraj Kumar Wankhede, learned counsel for the NHAI, Mr. Sandeep Dubey, learned counsel, appearing for respondent Nos. 7 & 8 in WPPIL No. 127/2021, Mr. Krishna Tandon, learned counsel, appearing for respondent No.6 in WPPIL No. 127/2021 and respondent No.11 in WPPIL No. 26/2022, Mr. Ishan Verma, learned counsel, appearing for respondent No.9 in WPPIL No. 26/2022. Mr. Rakshit Tiwari holding brief of Pankaj Agrawal, learned counsel, appearing for respondent Nos. 2 & 7 in WPPIL No. 26/2022 and Ms. Ruchi Nagar, learned counsel, appearing for the intervenor.

The Chief Secretary of the State is directed to file his personal affidavit showing the current status of the construction work at Dhaneli-Mandir Hasaud Raod as well as Mopka-Sendri bypass as the learned Advocate General states that the tender in question was already issued and work is still in progress, but what is status of the work, he should file his personal affidavit with documentary evidence.

Mr. Sandeep Dubey, learned counsel, appearing for respondent Nos. 7 & 8 / Municipal Corporation, Bilaspur in WPPIL No. 127/2021 states that an affidavit has been filed by the Municipal Commissioner. The relevant portion of the same is reproduced hereinunder :-

“4. It is respectfully submitted on behalf of deponent that, the Municipal Corporation continuously working on various field which relates to the needs of General Public likewise drainage, street lights, cleanings, maintenance as well as construction of new roads, repairing of roads, after direction of the Hon’ble Court, the Municipal Corporation repairs the following roads :-

No.	Road Situated at	Status
a.	Vijay Vanndana Hospital Narmada Chowk (Mungeli Bypass Road)	Complete
b.	From Mangala Chowk to Uslapur Over bridge	Complete
c.	From Mungeli Naka to Circuit House Turning (Circuit House Road)	Complete
d.	From Madhya Nagari Chowk to Satyam Chowk	Complete

	e.	From Satyam Chowk to Magarpara Chowk	Complete
	f.	From Magarpara Chowk to Bhartiya Nagar Chowk	Complete
	g.	From C.M.D. Chowk to Gayatri Mandir Chowk	Complete
	h.	Rani Sati Mandir Road Gaurav Path Shanti Nagar	Complete
	i.	From Power House Chowk to Gumber Petrol Pump (Dhan Mandi Raod Torwa)	Complete
	j.	From Old Haribhumi Chowk to Brihaspati Bazar	Complete
	k.	From Brihaspati Bazar Road to Devaki Nandan Chowk	Complete
	l.	From Bhakt Kanwar Ram Gate to Sai Mandir Neharu Nagar (Pt. Shyamlal Chaturvedi Smart Road)	Complete
	m.	From Sai Mandir Chowk to Narmada Nagar Chowk	Complete
	n.	From Jagmal Chowk to Mannu Chowk	Complete
	o.	From Mannu Chowk to Shiv Talkies Chowk	Complete
	p.	From Shiv Chowk to Old Bus Stand	Complete
	q.	From Mannu Cyhowk to Dayalband Chowk	Complete

r.	From Rajendra Nagar Chowk to Head Post Office	Complete
s.	Azad Chowk Mangla	Complete
t.	From Mangala Chowk to St. Francis Chowk	Complete
u.	Parijaat Extension Colony	Complete
v.	Patrakar Colony	Complete
w.	Swarn Jayanti Nagar	Complete
Certificate issued by Executive Engineer with respect to B.T. Renewal Work		
a.	Under the Zone 8, from Muktidham Chowk Sarkanda to House of Mr. Arjun Tirthani	Done
b.	Under Zone 7, from F.C.I. Chowk Lingiyadih to Masjid Chowk Rajkishor Nagar	Done

*A copy of the list along with certificate issued by the Executive Engineer, in which the repairing of the roads are completed are collectively annexed herewith as **ANNEXURE-D/1**.*

5. That, the Municipal Corporation issued various tenders for the construction of the C.C.Roads under the limits of Municipal Corporation, in which the Contract has been awarded to the contractor and they are started the works, which would be complete as per the norms of the contract agreement. The

construction of the some of the roads under process of tenders, which would be finalize as per the norms prescribed under the PWD manual.”

Ms. Ruchi Nagar, learned counsel, appearing for the intervenor states that with respect to Shubham Vihar the roads have not been repaired.

In view of the same Shri Dubey has stated that the said grievance of the intervenor would be taken into consideration.

Meanwhile the Amicus Curiae are also directed to verify the affidavit given by the Municipal Commissioner regarding the repairing work and construction of new roads and its maintenance enlisted in paragraph 4 of the said affidavit.

In compliance of the Court's order dated 03.10.2024, an affidavit has been filed on behalf of respondent No.4 / NHAI on 17.11.2024, relevant portion of the said affidavit reads as under :-

“That in compliance of the Hon'ble Court order dated 03.10.2024, the office of

*answering respondent made correspondence with the concerned concessionaire who is engaged in the construction of subject matter NH Project, through answering respondent. The concessionaire vide its letter dated 16.11.2024 submitted the progress report of Service Road between Km. 23.180 to Km 24.854 (RHS) in Bilaspur-Pathrapali section of NH-130. That the answering respondent is filing the progress report and other documents of the concerned aforementioned project before this Hon'ble Court, copy of which is filed herewith as **ANNEXURE A**. It is humbly prayed that the progress report may be taken on record, in the interest of justice.”*

Mr. Prateek Sharma, learned Amicus Curiae states that he has also prepared a report and it is stated that he will file the same before the Registry of this Court today only after serving copy of the same to learned counsel, appearing for the State, NHAI and other stakeholders so that discrepancies which have been pointed out in the said report be rectified.

Fresh affidavits shall be filed by the respective respondents to that report also.

The Regional Officer of NHAI, Raipur is directed to file his personal affidavit in the matter with respect to the report submitted.

List these matters on **10.12.2024** for monitoring further progress in the matter.

Sd/-
(Amitendra Kishore Prasad)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice