



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPPIL No. 29 of 2025

In the matter of Suo Moto Public Interest Litigation relates to “bad rather pathetic condition of road while visiting Apollo Hospital, Bilaspur giving rise to delay in reaching hospital to the critically ailing patients”.

... Petitioner

versus

1 - State of Chhattisgarh Through Chief Secretary, Mahanadi Bhawan, Atal Nagar, Nawa Raipur (C.G.)

2 - Principal Secretary Department of Development and Urban Administration, Mantralaya Mahanadi Bhawan, Atal Nagar, Nawa Raipur (C.G.)

3 - Collector Bilaspur, District Bilaspur (C.G.)

4 - Superintendent of Police Bilaspur, District Bilaspur (C.G.)

5 - Commissioner Municipal Corporation Bilaspur, District Bilaspur (C.G.)

... Respondent(s)

Order Sheet

12/02/2025	<p>This Court has taken <i>suo moto</i> cognizance by way of this Public Interest Litigation with regard to the existing situation of the roads leading to Apollo Hospital, Bilaspur, wherein condition of the road is pathetic and further illegal encroachments have been made on both the sides of the road which is causing inconvenience to the patients and their attendants etc., who intend to visit the Hospital for their treatment etc.</p> <p>Heard Mr. Prafull N. Bharat, learned Advocate General along with Mr. Shashank Thakur, learned Deputy Advocate General, appearing for the State/ respondent Nos. 1 to 4 as well as Mr. Ashutosh Singh Kachhawaha, learned counsel, appearing for respondent No.5/Commissioner, Municipal Corporation, Bilaspur</p> <p>Apollo Hospitals, Bilaspur is one of the leading hospital not only in the District of Bilaspur, but also the State. The patients with critical ailments are referred to this hospital for treatment as most advanced medical</p>

facilities are available here. The hospital is located in the outskirts of Bilaspur city and the approach road from all the directions leading to Apollo Hospital are in a pathetic condition. Firstly, the road is so narrow that it is very difficult for vehicles to move freely and the road is full of potholes. Further, there are illegal encroachments on both the sides of the roads and because of parking of vehicles who visit those shops constructed on illegal encroachment is causing traffic jam situation.

Apollo Hospital being a place where every person who intends to visit there, has a sort of emergency situation, the road should be wide enough and traffic movement should be such that commuters should reach the hospital in the least possible time, the authorities of Municipal Corporation, Bilaspur appears to be doing nothing in this regard. The situation as aforesaid is prevailing for a very long time.

A vegetable market is also located near the Apollo Hospital which is causing hindrance in free movement of the traffic and there is scarcity of parking space also. It is beyond understanding as to what has prevented

the authorities of the State as well as Municipal Corporation to take action in accordance with law for removal of the illegal encroachments and for construction/repair of the roads. The situation exists when Bilaspur city is one among the Smart Cities in the country selected for development of infrastructure.

When a query is being made to the learned Advocate General as well as learned counsel appearing for the Municipal Corporation, Bilaspur, Mr. Bharat, learned Advocate General submits that funds have already been allotted by the State Government to the Municipal Corporation for widening of the road as well as shifting of electric poles / LT Line from Apollo Chowk to Mansi Lodge.

Mr. Kachhawaha, learned counsel for the respondent/Municipal Corporation, Bilaspur, submits that work order has already been issued for widening of the road and shifting of the poles in the month of July, 2024 and further, measurements have already been taken by the authorities for removal of the encroachment, however, because of the coming into

force the model code of conduct, which is going to be over on 26.02.2025, no further action has been taken by the authorities for removal of the encroachments.

It is also beyond understanding as to how, widening of the roads and removal of encroachment, which are in the interest of the public at large, is affected by coming into force the model code of conduct and when the work order has already been issued prior to coming into force the model code of conduct. If the authorities were so vigilant about any violation of model code of conduct, the authorities could have very well approached the Election Commissioner and sought permission for carrying out the works which have already been sanctioned.

In view of the aforesaid submissions, the respondent No.5 / Commissioner, Municipal Corporation, Bilaspur is directed to file his detailed personal affidavit in the matter as to why inspite of issuance of work orders, encroachments have not been removed and why the widening of the roads have not yet been started.

Put up the matter day after tomorrow i.e. on **14.02.2025.**

Learned counsel for the parties are directed to communicate this order to the authorities concerned, forthwith.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice