

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPPIL No. 127 of 2021

In Re. Roads of Chhattisgarh **Versus** State of Chhattisgarh & Others

alongwith

WPPIL/26/2022 and WPPIL/83/2023

11/06/2024	Heard Mr. Rajeev Shrivastava, learned Senior Advocate with Mr. Prateek Sharma and Mr. A.S.Kachhwaha, learned <i>Amici Curiae</i>, Mr. Siddharth Dubey, learned counsel for the petitioner in WPPIL No. 26/2022. Also heard Mr. Prafull N Bharat, learned Advocate General assisted by Mr. Yashwant Singh Thakur, learned Additional Advocate General for the State, Mr. P.K.Bhaduri, learned counsel for the respondent/NHAI, Mr. Tushar Dhar Diwan, learned standing counsel for the Union of India as well as Railways, Mr. Vernit Tripathi, holding the brief of Mr. Varun Sharma, learned counsel for the respondent/CSPDCL, Mr. Ishan Verma, learned counsel, Ms. A. Sandhya Rao, holding the brief of Mr. Pankaj Agrawal, Ms. Pragati Kaushik, holding the brief of Mr. Sandeep Dubey, learned counsel for the respective respondents. We have gone through the order passed by this Court on

03.04.2024 and a perusal of the same shows that with respect to the strengthening of the road Jora-Saddu-Dhaneli by-pass, an amount of Rs. 2298.69 lacs have been sanctioned by the State Government.

Considering the said statement of the learned Advocate General who had appeared in the matter, it was stated that though the model code of conduct was in operation because of the general elections, hence the tender could not be floated, but considering the fact with regard to the condition of the road, if the Court so directs, the tender would be floated. Today, when the matter is taken up, the learned Advocate General states that the though the tenders have been floated, but the bids have not been opened.

From perusal of the aforesaid order, it also transpires that the Chief Secretary to the Government of Chhattisgarh was directed to take steps in this regard. However, it appears that the order of this Court has been taken very lightly by the Chief Secretary and no steps have been taken by him for compliance of the order of this Court dated 03.04.2024.

It is very painful for us to be informed by the learned Advocate General that though the tenders has been floated but the bids have not been opened as yet and more than two months have passed and the general public who are using the said road day and night are being put to unnecessary hardships endangering their lives while travelling on

the said road especially when the said road is an important road connecting the Airport.

The learned Advocate General prays for and is granted two week's time to get fresh instructions in the matter.

Mr. P.K.Bhaduri, learned counsel appearing for the respondent/ NHAI, with respect to compliance of the order dated 19.02.2024 in WPPIL No. 127/2021, submits that a communication has been sent by the Project Director, Project Implementation Unit, Bilaspur, to the Competent Authority (Land Acquisition) and Sub Divisional Officer (Revenue) Bilaspur.

From perusal of the said document, it is apparent that there are number of discrepancies in the passing of the award with respect to acquisition of land and further the Khasra numbers have also been wrongly mentioned due to which there appears to be non-compliance of the Court's order dated 19.02.2024 in WPPIL No. 127/2021.

The communication dated 03.06.2024 is taken on record.

Mr. Bhaduri is also permitted to file the said document alongwith other relevant documents before the next date.

Considering the fact that the Chief Secretary of the State has taken the order of this Court dated 03.04.2024 in a very casual manner for which this Court expresses its displeasure, however,

refrains from passing any adverse order giving a last opportunity to the Chief Secretary to the Government of Chhattisgarh, to file his personal affidavit showing compliance of the order dated 19.02.2024 and 03.04.2024, respectively, passed by this Court, in its letter and spirit.

List these cases on **02.07.2024** for the submission of compliance report.

The Registrar (Judicial) as well as the learned State counsel are directed to send a copy of this order to the Chief Secretary, Government of Chhattisgarh, forthwith for necessary information and compliance.

Sd/-

(Sachin Singh Rajput)
Judge

Sd/-

(Ramesh Sinha)
Chief Justice