



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPIL No. 127 of 2021

IN RE. ROADS OF CHHATTISGARH **versus** STATE OF CHHATTISGARH AND
OTHERS

WPIL/83/2023,WPIL/26/2022

25/08/2025	This is an office reference. Heard Shri A.S. Kachhawaha, Shri Prateek Sharma, learned Amicus Curiae, Shri Rajeev Shrivatava, learned Senior Advocate. Also heard Shri Y.S. Thakur, Additional Advocate General, Shri Ramakant Mishra, learned DSGI assisted by Shri Tushar Dhar Diwan, learned CGC, appearing for Union of India in WPIL No. 127/2021 and WPIL No. 83/2023 and for Respondent No. 10 (Railways) in WPIL No. 26/2022, Shri Dheeraj Kumar Wankhede, learned counsel for the NHAI, Ms. Swati Agrawal, Advocate on behalf of Shri Pankaj Agrawal for Respondent Nos. 7 & 12 in WPIL No.

26/2022, Shri Varun Sharma, learned counsel for the respondent no. 6 & 11 in WPPIL No. 26/2022 and Shri Krishna Tandon, learned counsel appearing for the respondent No. 6 in WPPIL No. 127/2021.

Heard.

In compliance of the Court order dated 05/08/2025, Regional Officer, Regional Office, National Highways Authority of India, Raipur, District Raipur and the Officer-in-Charge on behalf of National Highways Authority of India filed an affidavit and the relevant portion of the same is reproduced hereunder:-

“4. That, it has been conveyed to the office of deponent by way of incessant correspondence that, office of NHAI PIU-Raipur, in Raipur to Simga section (from Km 0.000 to km 48.580) of NH-30 and office of NHAI PIU-Bilaspur, in Simga to Pendridih (from Km 48.580 to km 105.980) section of NH-130, has relentlessly working in the Raipur-Bilaspur national highway, clasping hands with the concerned O&M Contractors, for purpose of completion of

the subject matter project. There are two O&M Contractor team engaged for undertaking the designated works i.e., M/s Punj Lloyd in Raipur-Simga section (from Km 0.000 to km 48.580) of NH-30 & M/s Kanhaiyalal Agrawal in Simga-Pendridih section (from Km 48.580 to km 105.980) of NH-130 carrying out the maintenance & repair works in their sections. That in compliance of the Hon'ble Court order dated 05.08.2025, the office of PIU Bilaspur made correspondence with the concerned concessionaire who is engaged for the operation& maintenance of subject matter NH Project, and further directed to undertake repair & maintenance works at the project site.

5. That, Progress Report (till 22.08.2025) and the action taken by NHAI for expediting the works being carried at site, Junction concerning the matter are as follow:

i. Progress reports of works being carried out site:

a) **Vegetation Management:** Unwanted vegetation has been trimmed and removed along a stretch of 57.22 kilometers out of a total targeted project length of 105.98 kilometers.

b) **Cleaning on highway:** Road cleaning has been done in 53.2 kilometers out of a total targeted project length of 105.98 kilometers.

c) **Safety and Signage Works:**

- Installation and repair of hazard markers, wherein 43 new hazard installed. markers were
- Installation of 17795 (in nos.) new retro-reflective stickers.
- Installation of 59 (in nos.) new retro-reflectorized traffic signs comprising stop sign, direction sign, etc.
- Installation/fixing of 14658 (in nos.)

new Road studs are done in the NH section.

*d) **Pavement Marking:** Application of hot-applied thermoplastic road markings has been done in 23.01 Kilometers and further the work is under progress in remaining section where it is required.*

*e) **Crash Barrier Works:** Replacement & installation of Metal Beam Crash Barrier ("W-type") in 622 m length at various designated locations along the NH section.*

*f) **Surface Finishes:** Kerb painting in 18.4 kilometers and Rigid (Concrete) crash barrier painting in 3.5 Kilometers has been done in the NH section & further the work is under progress in remaining section where it is required.*

*g) **Electrical Works:** A total no of 1041 new LED street lights are installed in the section and further the work is under*

progress in remaining section where it is required.

ii. In addition of above and in order to expedite the works at site, NHAI has called tender for execution of the work of "Maintenance of 4/6 Laning of Raipur-Simga of NH-200 (New NH-30) (Package-1) from Km. 0.000 to Km 48.580 (Total length 48.58 Km) section of Raipur-Bilaspur Road in the State of Chhattisgarh", and subsequently finalized the bids in minimum time frame possible & has now issued commencement letter to the finalized Contractor (NHAI RO Raipur letter no. 10990 dated 22.08.2025) for proceeding with carrying out the designated works, having price Rs.3,54,41,797/- (Three Crore Fifty Four Lakh Forty One Thousand Seven Hundred Ninety Seven Rupees).

iii. It is further submitted that in the Simga-Pendridih section of NH-130, in addition to

existing provision of Rs.10.92 Cr towards the O&M works, the Change of Scope (COS) proposal, in accordance with the current emergent site requirements, totaling Rs.3.86 Cr., has already been submitted and is currently under review at NHAI HQ, New Delhi. However, the additional works included in the Change of Scope are already being executed on-site, taking into account the site requirements.

Copy of note sheets demonstrating the progress of work with photographs is filed herewith as ANNEXURE A-4/1(Colly)."

From bare perusal, it is manifest that certain steps have taken and photographs have also been annexed, which goes to show that the works are in progress.

And, in compliance of the Court order dated 05/08/2025, the Secretary, Public Works Department, Government of Chhattisgarh, Mantralaya, Nawa Raipur, District Raipur, C.G. filed an affidavit and the relevant

portion of the same is reproduced hereunder:-

"It is most humbly and respectfully submitted that from Pendridih Chowk to Nehru Chowk road total length of 15.375 km, cement concrete road construction was completed in the year 2016. However, most of the concrete road has longitudinal cracks. It is submitted that a proposal for renovation of the road with asphalt over the concrete surface in the budget of the Public Works Department. There is a possibility that if a tarred surface is constructed directly over the concrete surface, then along with the concrete, the asphalt surface will also crack. Therefore, the Engineer-in-Chief, Public Works Department, Nawa Raiupr, Distt. Raipur (C.G.) on 07.08.2025 wrote letters to Head of Department, Civil Engineering, National Institute of Technology, Raipur, Head of Department, Civil Engineering, Central Road Research Institute, New Delhi, Head of

Department, Civil Engineering, Indian Institute of Technology, Khadagpur and Head of Department, Civil Engineering, Rurki, Haridwar and requested to send a technical expert for survey of the concrete road and suggestion for repairing of the said road. Copy of letters dated 07.08.2025 is filed herewith as ANNEXURE D/1 collectively.

3. It is humbly submitted that in pursuance to the letter dated 07.08.2025, the Civil Engineering Department, National Institute of Technology, Raipur has sent a technical and financial proposal for investigations and repairing of Concrete Pavement constructed between Pendridih Chowk to Nehru Chowk at Bilaspur. Copy of demand note sent by National Institute of Technology, Raipur is filed herewith as ANNEXURE D/2. That suggestions from all the institutes is awaited. After receiving the suggestions from all the Institutions, the final decision will be taken as

per the suggestions for strengthening of the road.”

From bare perusal, it is manifest that that from Pendridih Chowk to Nehru Chowk, total length of 15.375 km, cement concrete road construction was completed in the year 2016, but most of the concrete roads have longitudinal cracks and the proposal is being made for renovation of the same with asphalt over the concrete surface in the budget of the Public Works Department. It is further stated that there is a possibility that if a tarred surface is constructed directly over the concrete surface, then along with the concrete, the asphalt surface would also crack, therefore, the engineer-in-chief, Public Works Department, Nawa Raipur, District Raipur, C.G. on 07/08/2025 has written letters to various authorities with respect to send a technical expert for survey of cement concrete road and suggestion for repairing of the said road.

It is further stated that in pursuance to the letter dated 07/08/2025, the Civil Engineering Department, National Institute of Technology, Raipur has also sent a

technical and financial proposal for investigation and repairing of the concrete roads constructed between the Pendridih Chowk to Nehru Chow at Bilaspur, but the affidavit which has been filed would goes to shows that there has nothing immediate steps has taken for construction of the said road.

In view of above, we hereby direct that the Secretary, Public Works Department, Government of Chhattisgarh, should take positive steps immediately for repairing of the said road which have longitudinal cracks and wherein the black spots have been identified. The said road must be properly repaired and renovated forthwith so as to prevent any untoward accident or incident arising out of the existing cracks and damages. The Secretary shall also place on record by way of an affidavit, the details of the steps taken as has been ordered today, on the next date of hearing i.e. 04/09/2025.

Learned Amicus Curiae submits that, so far as the Ratanpur to Sendri road is concerned, he has placed some photographs which demonstrate the existence of

black spots on the said road. It is further submitted that water from the adjoining drain is overflowing and discharging on the main road.

In view of the aforesaid, Mr. Dheeraj Kumar Wankhede, learned counsel appearing for the National Highways Authority of India, submits that the concerned authority shall file an affidavit in respect of the aforesaid road.

At this juncture, it is directed that the Regional Officer, Regional Office, National Highways Authority of India, shall also file an affidavit before this Court indicating the steps taken for the repair of the aforesaid road, as well as the progress made in that regard.

List the case on 04/09/2025.

SD/-

(Bibhu Datta Guru)
Judge

SD/-

(Ramesh Sinha)
Chief Justice