



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

04/09/2025	This is an office reference. Heard Shri A.S. Kachhawaha, Shri R.K. Sahu, learned counsel on behalf of 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 Ms. Anmol Sharma, 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 appeared through video conferencing with Ms.
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Shreya Pawan Daga. Shri. Rakshit Tiwari, Advocate on behalf of Shri Pankaj Agrawal for Respondent No. 7, Shri Goutam Khetrapal, learned counsel for the respondent and Shri Sandeep Dubey, learned counsel along with Shri Manas Vajpai and Ms. Jyoti Chandravanshi, learned counsel for the respondent Nos.7 & 8.

Heard.

In compliance of the Court order dated 25/08/2025, the Regional Officer, NHAI, Raipur, filed an affidavit dated 1/9/2025. The Secretary, Department of Public Works, Government of Chhattisgarh has also filed an affidavit dated 3/9/2025.

Relevant portion of both the affidavits are reproduced hereunder:-

Affidavit NHAI

“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, along with the joint efforts of the Toll agency M/s NHIT-Sothorn Project Pvt. Ltd. Operating the Tarpongi & Bhojpuri toll plazas, has relentlessly working in the Raipur-Bilaspur national highway, clasping hands रायपुर 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 along with the toll operating agency M/s NHIT-SPPL, 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 correspondence with concerned concessionaire/contractors/toll agencies 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 01.09.2025) and the action taken by NHAI for expediting the works being carried at site, Junction concerning the matter are as follow:

a) Vegetation Management: Unwanted vegetation has been trimmed and removed along a stretch of 72.82 kilometers out of a total targeted project length of 105.98 kilometers.

b) Cleaning on highway: Road cleaning has been done in 78.225 kilometers out of a total targeted project length of 105.98 kilometers.

c) Safety and Signage Works:

- Installation and repair of hazard markers, wherein 59 (in nos.) new hazard markers were*

installed.

- *Installation of 19190 (in nos.) new retro-reflective stickers.*
- *Installation of 69 (in nos.) new retro-reflectorized traffic signs comprising stop sign, direction sign, etc.*
- *Installation/fixing of 18124 (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 57.83 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 943 m length at various designated locations along the NH section.

f) Surface Finishes: Kerb painting in 38.19 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 1508 (in nos.) new LED street lights are installed in the section and further the work is under progress in remaining section where it is required. Also, 18 nos. of additional solar lights were installed at the median opening locations.

h) Toll plaza locations: Repair & maintenance works such as lane marking, bull nose painting, cleaning. rectification of High mast light is being carried out by the toll operating agency M/s NHIT-SPPL at Tarpongi & Bhojpuri toll plaza area.

6. 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 Contractor (NHA RO Raipur letter no. 10990 dated 22.08.2025) for proceeding with carrying out the designated works, having contract price of Rs.3.54 Cr after which, the contractor has now commenced its work at site.

7. 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 Competent Authority has approved the Change of Scope (COS) proposal amounting to Rs.3.86 Cr. and the

works included in the Change of Scope are already being executed on-site effectively.

8. That, in compliance of the Hon'ble High Court order without any delay the answering respondent has resolved the problem of waterlogging on the RHS side of the Sendri Service Road through the implementation of permanent rectification measures, specifically by installing a Hume pipe to effectively drain the water. The photographs taken post-rectification are enclosed herewith as ANNEXURE R-4/1 (Colly).

9. There are two State identified Blackspots (based on accident data of year 2022-23-24) namely (i) Jali Mod & (ii) Sendri Jn in the Ratanpur to Sendri section of NH-130 where, short-term rectification measures have been implemented, which includes installation of Signboards, rumble Strips and speed Breakers on the approach

roads, solar blinkers, etc. Moreover, as a long-term rectification measures, the construction of service road at the Sendri is under progress with present physical progress of 87%, which will channelize the Bilaspur city traffic going to Ratanpur through the proposed service road instead of directly entering in the main carriageway (NH-130) through the existing median opening, which will be permanently closed after the construction of service road. The rectification report, along with photographs, is filed herewith as ANNEXURE R-4/2.

10. That in compliance of the Hon'ble Court order dated 25.08.2025, office of NHAI PIU-Bilaspur, in Bilaspur to Pathrapali (from Km 0.000 to km 53.300) section of NH-130, has also commenced the repair & maintenance works in the National Highway, clasping hands with the concerned Concessionaire M/s Bilaspur-

Pathrapali Highway Pvt. Ltd., to expedite the repair & maintenance works on site. The Progress Report (till 01.09.2025) and the action taken by NHAI for expediting the works being carried out in the Bilaspur-Pathrapali section of NH-130, concerning the matter are as follow:

a) Vegetation Management: Unwanted vegetation has been trimmed and removed along a stretch of 6.6 kilometers out of a total targeted project length of 35 kilometers from Bilaspur to Ratanpur section.

i) Cleaning on highway: Road cleaning has been done in 8.5 kilometers and further the work is under progress in remaining section where it is required.

j) Safety and Signage Works:

- Installation and repair of sign boards, wherein 20 (in nos.) new hazard markers & 04 (in nos.) of*

other signages were installed.

- Installation of 3310 (in nos.) new retro-reflective stickers.*
- Installation/fixing of 1500 (in nos.) new Road studs are done in the NH section.*

k) Pavement Marking: Application of hot-applied thermoplastic road markings has been commenced at site on 31.08.2025 & done in 1.0 Kilometers. Further the work is under progress in remaining section, however, the pace of work is affected due to the continuous rainfall.

l) Surface Finishes: Kerb painting in 1.1 kilometers has been done in the NH section & further the work is under progress in remaining section where it is required however, the pace of work is affected due to the continuous rainfall.

m) Electrical Works: Almost all existing street lights has been made functional by providing total no of 15 (in nos.) new LED street lights in the section and further the defects were immediately attended under routine maintenance works, if any.

n) Rectification of shoulder: Repair & rectification of shoulder is being carried out at site, however due to continuous rainfall as on date only 1.45 km length has been rectified and further the work is under progress in remaining section where it is required.

Copy of note sheets demonstrating the progress of work with photographs is filed herewith as ANNEXURE R-4/3(Colly).

From the aforesaid contents of the affidavit, it is manifest that so far as Ratanpur to Sendri road is concerned, repairing works have already been carried

out. As far as Raipur-Bilaspur highway is concerned, necessary steps have already been initiated and most of the work has been completed.

In compliance of the Court order dated 25/08/2025, the Secretary, Department of Public Works, Government of Chhattisgarh has also filed an affidavit dated 3/9/2025. Relevant portion of the same reads as under:

“2. It is respectfully submitted that the road from Pendridih Bypass to Nehru Chowk has developed longitudinal cracks and a proposal of the renewal of road surface has also been submitted. Before undertaking renewal of the road surface, the Department is of the opinion that a technical study be conducted to avoid the cracks on the road after renewal. For that purpose, Department requested the NIT Raipur, Central Road Research Institute New Delhi, IIT Roorki and IIT Khadagpur to send the team of technical expert for survey and suggestions. It is submitted that the

Department has accepted the interest NIT Raipur for survey and suggestion and has issued letter of acceptance dated 02.09.2025. A copy of acceptance letter dated 02.09.2025 is filed herewith as ANNEXURE D/1.

3. That, the Hon'ble Court vide order dated 25.08.2025 had directed the Public Works Department to take positive steps immediately for repairing the road from Pendridih to Nehru Chowk.

4. That, in compliance of the Hon'ble Court's order, the Public Works Department has initiated repairs on the road by filling up the cracks with asphalt. The Department has also undertaken road side cleaning on regular basis. The Median and Grill on the road is being freshly painted. All the street lights on the road are functioning. The Municipal Corporation, Bilaspur is regularly removing cattles from the road and the presence of stray cattle has been substantially controlled.

5. It is respectfully submitted that the Department along with urban local bodies is making plan and continuous efforts for cleaning and repairing of the road. Photographs showing action taken by the Public Works Department for repair road side cleaning and painting of the Median and Grill are filed herewith as ANNEXURE D/2 collectively.

From bare perusal of affidavit, it is manifest that albeit the cracks which were on the roads, some patch works are being done as it reflects from the photographs annexed, but that does not solve the problems as has been observed by this Court in the order dated 25/08/2025 that some positive steps should be taken for repair cracks on the said road.

Further learned counsel for the State submits that the NIT Raipur has been entrusted with the work to examine the feasibility of the said roads and to renew the same.

In view of above, we hope and trust that the NIT

Gowri/ Amardeep	Raipur which has been entrusted with the task would expedite the things with their end and submit a report to the State, who will further expedite necessary formalities which is to be taken for construction/ renewal of the said road forthwith. As prayed, list these cases on <u>23/09/2025</u>. The Secretary, Public Works Department, Government of Chhattisgarh shall file fresh affidavit regarding further progress, as observed above, for further monitoring. SD/- (Bibhu Datta Guru) Judge SD/- (Ramesh Sinha) Chief Justice
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