

HIGH COURT OF CHHATTISGARH, BILASPUR
Order Sheet

WPIL No. 58 of 2019

Sanjay Rajak **Versus** State of Chhattisgarh & Others

WPIL No. 63 of 2019

09/04/2024	Heard Ms. Priyal Shrivastava holding the brief of Mr. Palash Tiwari, learned counsel for the petitioner in WPIL No. 63 of 2019. Also heard Mr. Yashwant Singh Thakur, learned Additional Advocate General, appearing for the respondents/State, Mr. Dhiraj Kumar Wankhede, learned counsel appearing for respondent/ NHAI, Mr. Ramakant Mishra, learned Deputy Solicitor General, appearing for the respondent/UOI, Mr. Pankaj Agrawal, Ms. Chetna Sharma, Ms. Shruti Parmar holding the brief of Mr. A.S. Kachhawaha, Ms. Sonam Singh holding the brief of Mr. Bhupendra Singh, Mr. Anuroop Panda holding the brief of Mr. B.D. Guru, learned counsel for the respective respondents and Mr. Rajkumar Mishra, intervenor in person, appeared through video conferencing. In compliance of the order passed by this Court dated 05.03.2024, an affidavit has been filed by Pramod Kumar Gupta, posted as Superintending Engineer in Public Works Department, NH Circle, Bilaspur on 20.03.2024. Operative portion of the said

affidavit reads as under :

"1. That, vide order dated 05.03.2024 the Hon'ble Court was pleased to direct the Secretary concerned to ensure that no stray cattle / cow shall be found on the road between Dhaneli to Mandir Hasoud and Vidhansabha Road Raipur approaching the Swami Vivekanant Airport and further the road should also be properly repaired and maintained so that the persons who are traveling on the said road in day or night shall not meet with any unfortunate incident which may cause loss to life.

2. That, in compliance of the directions issued by the Hon'ble Court on 05.03.2024 the appropriate authority has submitted their action taken report before the Chief Engineer. National Highway Zone, Public Works Department, Raipur. That according to the report submitted the total length of the road mentioned in order dated 05.03.2024 is 17.2 kms which is divided into two parts i.e. (1) from village Dhaneli to village Saddu which is 9.5 kms in length and is maintained by Highway, Division Raipur and (2) Saddu Vidhansabha to village Jora which is 7.7 kms in length and is maintained by the Public Works Department, Division No. 3, Raipur.

3. That, in the road from village Dhaneli to village Saddu patch repair work has been completed and the work of road marking and central lining marking is also completed. In the Rail

Overbridge situated in village Tekari repairs of electrification has been completed and now overbridge stands fully lighted.

4. That, the following works are proposed on the road from village Dhaneli to village Saddu:

A. A contract for short term maintenance of the road has been entered into and the work is soon to commence.

B. A DPR is purposed to be prepared for strengthening of the road and the same has been included in the budget for the year 2024-25.

C. For Railway Overbridge situated at village Tekari notice inviting tender has been issued for a wearing-coat repairing, painting of the railing, etc.

5. For the road from Saddu to Vidhansabha road which is a four lane road, Bitumen patch repairing has been completed in the December, 2023.

6. The following works are proposed on the said road:

A. A strengthening work of 22.99 crores has been sanctioned on 14.03.2024. A notice inviting tender is in progress.

B. Metal Crash Barrier and Cow Catcher, street light, etc. has been included in the budget of 2024-25 for which sanction is

awaited. The work will commence soon after the sanction is granted.

A copy of report submitted before the Chief Engineer, Public Works Department, National Highway Zone, Raipur on 15.03.2024 is filed herewith as ANNEXURE X-2. A copy of sanction of 2298.69 lacs for strengthening of the road Jora-Saddu-Dhaneli by-pass dated 14.03.2024 is filed herewith as ANNEXURE X-3.”

Mr. Yashwant Singh Thakur, learned Additional Advocate General, appearing for the State/respondents, has pointed out towards para 6 of the said affidavit and he states that Metal Crash Barrier and Cow Catcher, Street light has been included in the budget for 2024-25 for which sanction is awaited. The work would be completed as soon as the sanction is granted and it is stated that because of the general elections, the said fund could not be granted and he has assured the Court that as soon as the code of conduct is over, the fund would be allocated for the said purposes.

Mr. Dhiraj Wankhede, learned counsel, appearing for the respondent/NHAI has also assured the Court that the stray cattles which have been found on the National Highways, which are endangering the lives of the persons who are using the said roads including the danger to the cattles especially the cows found on

the roads and the problem of street lights would be taken care of strictly in accordance with the earlier orders of this Court.

Let these matters be again listed on 08.07.2024 to monitor the steps taken by the State/respondents and other stake holders.

Sd/-
(Rajani Dubey)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice