

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPPIL No. 58 of 2019****SANJAY RAJAK *versus* STATE OF CHHATTISGARH****WPPIL/63/2019****Order Sheet**

28/04/2025	Heard Mr. Sunil Otwani, learned counsel for the petitioner in WPPIL No. 58 of 2019 and Mr. Palash Tiwari, learned counsel for the petitioner in WPPIL 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 along with Ms. Anmol Sharma, learned Central Government Counsel, appearing for the respondent/ UOI, Mr. Pankaj Agrawal along with Mr. Rakshit Tiwari,

Mr. A.S. Kachhawaha, Mr. Ashish Tiwari, Mr. Anuroop Panda, Mr. Dhaneshwar Yadav, Mr. Vivek Kumar Agrawal holding brief for Dr. Sudeep Agrawal, Ms. Harneet Kaur holding brief of Mr. Sourabh Sharma, Ms. Chetna Sharma, learned counsel for the respective respondents, Mr. Gaurav Singhal, Advocate for the Intervenor and Mr. Rajkumar Mishra, intervenor in person, appearing through video conferencing

On the last date of hearing i.e. on *08/04/2025*, the competent authority of the State was directed to file an affidavit with respect to the news report *21.03.2025* published in Hindi Daily, Haribhoomi News Paper and in compliance of the said direction the affidavit has been filed and the relevant part of the same is quoted hereinbelow:-

“2. It is most humbly submitted that the draft Standard Operating Procedure (SOP) was uploaded in the Website of the Transport Department, Government of Chhattisgarh on *21.01.2025* and called suggestions from general public. After calling suggestions

from the general public, the SOP has been finalized by the Department of Transport, Government of Chhattisgarh. Copy of letter dated 24.04.2025 with SOP is filed herewith as ANNEXURE X/1.

3. That, vide order dated 08.04.2025 the Hon'ble Court has also taken cognizance to the new report published in Hindi Daily, Haribhoomi on 21.03.2025 with a heading "पेण्डारी में बेकाबू वाहन ने मवेशियों को कुचला, 8 की मौत 3 घायल" wherein some uncontrolled vehicles had caused death of 8 cattle and injured three more. The said news report states that in the village Pendari in the intervening night of 20.03.2025 and 21.03.2025, some unidentified vehicle crushed 8 cattle and injured 3 of them.

4. It is most humbly submitted that in the National Highway No. 130A from Sakri to Khamhariya Road, there is found 3 to 5 places where the cattle are gathered frequently in the night about 12 to 1 AM and many times the cattle were removed from the road by the

Department, however, the cattle are again gathered on the road. Looking to the situation, the Executive Engineer, Public Works Department, National Highway, Bilaspur wrote letter to the Sub Divisional Officer (Revenue), Takhatpur, Distt. Bilaspur to mark the government land for construction Yards with fencing to keep the cattle. Copy of letter dated 17.04.2025 is filed herewith as ANNEXURE X/2. It is also submitted that an estimate for construction of yards with fencing for collecting the cattle has also been sent to the Chief Engineer, Public Works Department, National Highway, Raipur (C.G.). Copy of letter dated 22.04.2025 with estimate is filed herewith as ANNEXURE X/3.

5. It is respectfully submitted that the post mortem of the 8 cattle, dead due to accident and the bodies of the cattle have been buried.”

Learned State counsel has pointed out that a Standard Operating Procedure (SOP) was uploaded on the Website of Transport Department, Government of Chhattisgarh on 21.01.2025 and suggestions were called and after calling of the suggestions from the

	General Public, the SOP has been finalized by the Department of Transport, Government of Chhattisgarh and the copy of the letter dated 24/04/2025 along with the SOP has been filed as X-1 and from the perusal of the SOP, it goes to show that the SOP which has been adopted to curtail the menace of stray animals upon the National Highways and the roads of the Districts, we hope and trust that the SOP may be implemented in its letter and spirit. Heard on I.A. No.11/2025 in WPPIL No.58 of 2019 which is an application for permission to intervene in the instant writ petition (PIL). On due consideration, the application (I.A. No.11/2025) is allowed and the intervener is permitted to intervene in the matter. Also heard on I.A. No.12/2025 in WPPIL No.58 of 2019, which is an application for an appropriate direction to the petitioner to array the Gram Panchayat, Pendridhi as party respondent. On due consideration, the application I.A. No.12/2025 is allowed. Office is directed to implead Gram Panchayat, Pendridhi, through its Secretary, as party. It has been pointed by Mr. Gaurav Singhal, learned counsel for the intervener that 08 shops are remaining which have not been demolished in the Pendridih by pass.
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ashu	In view of the above, Secretary Gram Panchayat, Pendridih is directed to file his personal affidavit with respect to the intervention application dated 23/04/2025 by the next date. Learned State counsel is directed to communicate this order to the Secretary, Gram Panchayat Pendridih, District Bilaspur, forthwith. Let these matters be again listed on <u>31st of July, 2025</u> for further monitoring of the matter. <table><tr><td data-bbox="502 851 1037 1075"> SD/- (Arvind Kumar Verma) Judge </td><td data-bbox="1037 851 1450 1075"> SD/- (Ramesh Sinha) Chief Justice </td></tr></table>	SD/- (Arvind Kumar Verma) Judge	SD/- (Ramesh Sinha) Chief Justice
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