



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPIL No. 58 of 2019

Sanjay Rajak **Versus** State Of Chhattisgarh & Others
alongwith

WPIL/63/2019

Order Sheet

16/07/2025	Heard Mr. Sunil Otwani, Mr. Palash Tiwari, learned counsel for the respective petitioners. Also heard Mr. Prafull N Bharat, Advocate General assisted by Mr. Y.S.Thakur, learned Additional Advocate General for the State, Mr. Ramakant Mishra, learned Deputy Solicitor General for the respondent/ Union of India, Mr. Dhiraj Kumar Wankhede, learned counsel appearing for respondent/ NHAI, Mr. Pankaj Agrawal, Mr. A.S. Kachhawaha, Mr. Ashish Tiwari, Mr. Anuroop Panda, Mr. Vikas Dubey, Mr. Sourabh Sharma, learned counsel for the respective respondents as well as Mr. Mayank Chandrakar and Mr. Goutam Khetrupal, learned counsel for the respective intervenors, Mr. Rajkumar Mishra, in person, intervenor (through Video Conferencing).

	Though on the last date of hearing i.e. on 28.04.2025, the matter was directed to be listed on 31.07.2025, however, as a news report has been published today in different Hindi Dailies, namely Nav Bharat, My City, Bilaspur Bhoomi and Bilaspur Bhaskar with headings (i) तेज रफ्तार वाहन ने 17 गौवंशों को कुचला, 14 की मौत, रतनपुर थाना क्षेत्र के बारीडीह की घटना, रात में सडक पर बैठे थे मवेशी (ii) बेलगाम वाहन ने सडक पर बैठे मवेशियों को कुचला, रफ्तार का कहर : 12 मवेशियों की मौत, 5 घायल (iii) सडक पर बैठी गायों के झुंड पर चढा दिया तेज रफ्तार हाइवा, 17 की तडप तडप कर गई जान, रतनपुर केंदा मार्ग पर बारीडीह के पास देर रात हुई घटना, गुस्से में ग्रामीण : कहा / गौवंश को बचाने कदम उठाएं, these petitions are taken up today itself. The aforesaid news report published in three Hindi Dailies is in relation to an incident which occurred in the National Highway connecting Ratanpur to Pendra which is under construction. In the night of 14.07.2025, a heard of cattle was sitting on the road near village Baridih. At about 1 a.m. an unknown vehicle which was being driven in a rash and negligent manner, ran over the cattle sitting on the road in which 14 to 17 cows are reported to be killed. As per the news report, the Sarpanch of the village has given a complaint to the Station House Officer of Police Station, Ratanpur against an unknown
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driver. There is anger amongst the villagers because of the said incident who are demanding strict action against the driver who has ran over the vehicle over the cows and absconded.

According to the aforesaid news reports, the injured cattle are being treated by Veterinarian and after conducting the postmortem of the dead cattle, they have been buried. Surprisingly, even after such a horrific incident, not a single cattle owner has come forward for claiming the cattle. The version of the Superintendent of Police, Bilaspur has also been published who has stated that the police is enquiring into the matter. In the last five years, there had been 166 incidents because of the cattle in which 43 people lost their lives and 68 were injured. Further, it is stated in the news report that in almost all the roads, whether it be National Highway, State Highway, streets/roads falling within the Municipal Area, all are occupied by stray cattle causing major road accidents.

On 06.11.2023, this Court had taken note of a detailed affidavit filed by the Chief Secretary of the State wherein it was informed that the issue of stray cattle on the roads was continuously being monitored and all the Departments throughout the State were in cooperation taking action for preventing the roaming of stray cattle on roads and further action plan was being prepared on the basis of reports received

for making the steps more effective in its implementation. The Chief Secretary was further directed to see that the menace of stray cattle is totally wiped out from the National Highways and from other roads of different Districts, and to continuously monitor that no stray cattle is found on the National Highways or on road of the Districts of the State.

On 08.07.2024, this Court had again directed the Chief Secretary of the State to issue necessary and effective orders to all the stakeholders in the districts of the entire State, which may also include Officers of the State/District Administration, as well as the Municipal Commissioners of Nagar Palika Nigam (Municipalities), and also the Gram Panchayats of the villages of nearby highways and roads, that they should take effective steps for curbing the danger of stray animals coming on the roads and Highways, which also face death because of moving vehicles on the road and accident also takes place because of the animals sitting on the road and there is also loss to human lives, failing which accountability was to be fixed on those stakeholders in whose area such accident/incident takes place and legal consequences would also follow.

When a query was put to the learned Advocate General appearing for the State, learned Deputy Solicitor General appearing for the Union of India, learned counsel for the NHAI,

as well as learned counsel for the Municipal Corporation, Bilaspur, alongwith other counsel appearing for the respective respondents, as to whether any person/authority has been held responsible for the aforesaid incident, Mr. Bharat, learned Advocate General submits that till now, no authority has been held responsible, however, the matter is being enquired into and the person / authorities responsible for occurrence of the incident would be penalised suitably.

Not only the authorities of the State are answerable for such incidents, but a major responsibility lies also upon the shoulders of the owners of the cattle who leave their cattle to roam around on the streets, especially during the rainy season where the cattle find it more comfortable to sit on dry concrete roads than to sit on wet muddy areas. The responsible authorities should also ensure that the owners of such cattle are traced and they are advised / admonished that they should take care of their cattle and not leave them to roam around in the streets/roads.

Despite various directions issued by this Court time and again, incidents of such nature are occurring frequently which is a matter of grave concern. Hence, we deem it appropriate to direct the Chief Secretary of the State to file his personal affidavit with regard to the above incident as to whether any person/

authority has been held responsible for the lapses which resulted into such horrific accident and to enquire as to who are the persons responsible and who have faulted with in their duties to check such incidents.

Let these matters be listed again on **31st July, 2025**, as ordered on 28.04.2025.

Sd/-
(Ravindra Kumar Agrawal)
JUDGE

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE