

GAHC040014122023



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : PIL/18/2023

Sunday Bagang and 3 Ors.

S/o Samo Bagang, R/o Jayang Bagang, Chayang Tajo, East Kameng District, Seppa,
A.P. Phone 8730966340 2: Ram Bagang

Age:

Occupation :

S/o Lt. Tama Bagang

R/o Chayang Tajo

East Kameng District

Seppa

A.P.

3: Pritom Yangfo

Age:

Occupation :

S/o Tamang Yangfo

R/o Village Yangfo

Chayang Tajo

East Kameng District

Seppa

A.P.

4: Smti Rebika Rebe

Age:

Occupation :

W/o Kompu Dolo

R/o Village Rebe

Chayang Tajo

East Kameng District

Seppa

A.P

VERSUS

THE UNION OF INDIA and 14 Ors.
represented by the Ministry of Road Transport Highways and Highways, (MorTH),
Transport Bhawan, 1, Parliament Street, New Delhi, GOI 110001 2:The Secretary
Age: 0
Occupation :
North Eastern Council NEC
DIPR

NEC Secretariat
Nongrim
Hills
Shillong-793003

3:The Ministry of Development of North Eastern Region
Age: 0
Occupation :
Vigyan Bhawan Annex
Maulana Azad Road New Delhi-110011

4:The Chief Secretary
Age: 0
Occupation :
Civil Secretary
Civil Secretariat

GoAP
Itanagar
A.P

5:The Principal Secretary
Age: 0
Occupation :
PWD
Civil Secretariat
GoAP
Itanagar
A.P

6:The Director General of Police (DGP)
Age: 0
Occupation :
PHQ
Itanagar
Govt. of Arunachal Pradesh.

7:The Principal Secretary
Age: 0
Occupation :

Vigilance
Civil Secretariat
GoAP
Itanagar
A.P

8:The Chief Engineer

Age: 0
Occupation :
PWD
WZ Mowb II
Itanagar
GoAP
A.P

9:The Commissioner

Age: 0
Occupation :
PWD
Govt. Of Arunachal Pradesh
Civil Secretariat
Itanagar
A.P

10:The Superintendent Engineer (SE)

Age: 0
Occupation :
PWD
Bobia
Sagalee Circle
Papum Pare
A.P

11:The Executive Engineer

Age: 0
Occupation :
PWD
Chayang Tajo Division
Dist. East Kameng
A.P

12:The Deputy Commissioner cum District Chief Vigilance Officer

Age: 0
Occupation :
East Kameng District
A.P

13:M/s Gammon India Limited

Age: 0
Occupation :
Gammon
House

Veer
Savarkar Marg
PO Box No.
9129
Prabhadevi
Mumbai.

14:M/s Gammon Engineers and Contractors Private Limited
Age: 0
Occupation :
Zonal Office

Veer
House

Gammon
Savarkar Marg
PO Box No.
9129
Prabhadevi
Mumbai.

15:The DRB Infrastructure Pvt Ltd
Age: 0
Occupation :
Independent Bungalow Situated at Plot
No. 10. HIG HUDA Layout

Adjacent to NMDC Guest
House
Road No. 2
Banjara
Hills
Hyderabad
Telangana
State - 50003

Advocate for the Petitioner : Madan Mili, Sonam Tsomo,k N Maling,D Tatum,Tali Umbey,T
Siga,Chanya Bangsia

Advocate for the Respondent : GA (AP), D Deka,Karyom Dabi,2 R Borah,D Mazumdar, Sr.
Advocate,Tapi Omo,DSGI,Marto Kato

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND
HONOURABLE MR. JUSTICE BUDI HABUNG

ORDER

16.06.2026

1. Learned counsel Ms. S. Tsomo is present for the petitioner.
2. Learned Additional A.G., Mr. N. Ratan is present for the respondent Nos. 4, 5, 6, 7, 8, 9, 10, 11 and 12 and learned counsel Mr. D. Deka is present for the respondent Nos. 13 and 14.
3. As per order of this Court dated 26.05.2026, the Contractor and the Executive Engineer is also present.
4. Learned counsel for the petitioner has submitted that this project was initiated way back in the Year, 2008 and even after 18 years, the project has not been completed by the respondents. Earlier, NEC had funded the project i.e., "Construction and Improvement of the Seppa-Chayangtajo Road" for a stretch of 81 kms. The project was not completed even in the Year, 2024 and the remaining part of Rs. 16.27 crores was withdrawn by the NEC. Thereafter, the Government of Arunachal Pradesh had taken over the project and an amount of Rs. 9.5 crores was sanctioned to complete the project. It is submitted that Rs. 12.92 crores for the FY-2024-25 and Rs. 9.5 crores for the FY-2025-26 was sanctioned.
5. It is submitted by the learned Additional A.G. that it has been clearly mentioned in the affidavit dated 15.06.2026 that the work of construction of the road is still under progress. Only remaining WBM work of 7.70 kms and black topping work of 15.80 kms is required and is targeted to be completed by 30.12.2026.

6. Learned counsel for the petitioner has raised serious objection stating that in this manner, several extension of period of completion, has been sought by the Government to complete the project which is pending since 2008.
7. The Executive Engineer, Mr. A. Panjing and Contractor, Mr. D. Saikia has explained the difficulties they had to face to complete the project and it is assured by them as well as on behalf of other respondents that the project will be completed and positive results are expected by the month of October 2026, as during this monsoon, black topping is not possible due to incessant rains.
8. It appears that owing to the monsoons, the respondents present today shall furnish details of the project completed after commencement of the project, after the monsoons, positively by 15.10.2026, without fail.
9. It has to be borne in mind that roads are a necessity and the citizens are not to be deprived of their access to connectivity.
10. This Court has considered the submission that work will only commence after the end of monsoon from 20.09.2026.
11. Learned counsel for the petitioner has submitted that respondent Nos. 2, 13 and 14 have not filed their affidavit to explain their laches.
12. Service report on respondent No. 2 is awaited.
13. List this matter on 15.10.2026.
14. The personal appearance of the Contractor and the Executive Engineer is dispensed with, for the time being.

JUDGE

JUDGE

Comparing Assistant