

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**PUBLIC INTEREST LITIGATION NO.54 OF 2019**

Sanjay s/o Balasaheb Kulkarni & ors

PETITIONERS

**VERSUS**

The Union of India & ors

RESPONDENTS

Mr R.N. Dhorde, Senior Advocate i/b Mr R.L. Kute,  
Advocate for the petitioners;  
Mr S.S. Deve, Advocate for respondent Nos. 1 and 3;  
Smt Geeta L. Deshpande, A.G.P. for respondent No.2;  
Mr D.S. Manorkar, Advocate for respondent No.4

**CORAM : PRASANNA B. VARALE &  
R.G. AVACHAT, JJ.**

**DATED : 19th JULY, 2019**

**ORAL ORDER:**

Affidavit in reply is filed on behalf of respondent No.4 through Mr. R.V. Singh, working as Project Director, PIU, Nanded, National Highways Authority of India. In response to the order of this Court dated 4th July, 2019, an exercise of meeting of the representative of the petitioners and parents of the students was undertaken and it is certainly appreciable

response from all the parties to the petition. In the affidavit in reply filed on behalf of respondent No.4, in paragraph-11, it is stated that keeping in view of the requests of the petitioners and parents of the students the NHAI wish to place a proposition that if the petitioner society is ready to provide land free of cost from their campus premises then the FOB could be sited closer to their college gate and their campus located on either side of road could be connected through FOB. The proposal of Foot Over Bridge may be considered and submitted to competent authority for approval. This would ensure cross movement of students to either side of campus without even coming on the high way or service road. That in view of the office of answering respondent this appears to be the safest and effective mode of cross movement for the students. However the petitioner society will have to give undertaking to provide land free of cost for construction of Foot Over Bridge within their campus. That if the above proposal is agreed by

the petitioner society then same will be submitted before the competent authority of NHAI for necessary approval.

2. Mr. Dhorde, learned Senior Counsel submitted before this Court that petitioner No.1 who is President of Hindustani Education, Society makes a statement on behalf of the society that the society is ready to provide land free of cost from their campus premises so that proper Foot Over Bridge could be site connecting the college gate and campus located on other side of road. Mr. Dhorde, learned Senior Counsel, on instructions, submitted that such a proposal would be submitted to respondent No.4 within a week. Learned Counsel appearing for respondent No.4 submitted that it would require some time for assessment of the proposal by the technical experts. Let such exercise be undertaken within three weeks after proposal is submitted to the competent authority of NHAI.

3. Post the petition for further orders on 23rd August, 2019.

**[R.G. AVACHAT, J.]**

**[PRASANNA B. VARALE, J.]**

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