

Sunil Kumar vs. Union of India and others

CWP No. 1457 of 2024

31.12.2025 Present Mr. Pranav Sharma, Advocate vice Mr. Rakesh Chauhan, Advocate, for the petitioner.

Mr. Shiv Pal Manhas, Senior Panel Counsel, for respondent No.1.

Mr. Rajan Kahol & Mr. Vishal Panwar, Additional Advocate Generals with Mr. Ravi Chauhan and Mr. Anish Banshtu, Deputy Advocate Generals, for the respondents/State.

Mr. B.N. Misra, Senior Advocate with Ms. Vandana Misra, Advocate, for respondent No.4.

Mr. Sunil Mohan Goel, Senior Advocate with Mr. Abhinav Mohan Goel, Advocate, for respondent No.6.

On 06.01.2025, learned counsel representing respondent Nos. 4 and 6 placed on record certain photographs to demonstrate that in terms of observations made in the last para of order dated 9.04.2024, service road having width of more than 7.0 meters has been provided as envisaged under Clause 4.6.3 of Guidelines for access, location and lay out of road side fuel station at service station circulated by Indian Road Congress.

Having taken note of aforesaid statements made by learned counsel representing respondent Nos. 4 and 6 and the photographs adduced on record, this Court called upon learned counsel for the petitioner to have instructions in the matter.

Today, during the course of the proceedings, learned counsel representing the petitioner, on instructions,

submits that on the spot nothing has been done. He states that factual position existing on the spot can be verified by appointing a Local Commissioner, for which the petitioner is ready and willing to bear the expenses.

With the consent of learned counsel for the parties, Mr. Prashant Sharma, Advocate, is appointed as Local Commissioner. He shall visit the spot within a period of three weeks, but before visiting the spot, shall intimate the parties through their respective counsel, so that they remain present on the spot. The Local Commissioner appointed by this Court shall verify whether service road having width of more than 7.0 meters has been provided on the spot or not.

The fee of Local Commissioner appointed by this Court is assessed at Rs. 20,000/-, which shall be paid by the petitioner within a period of one week from today. Needless to say, after visiting the spot, the Local Commissioner shall furnish his report on or before the next date of hearing.

List on 02.03.2026.

(Sandeep Sharma)
Judge

December 31, 2025
(shankar)