

Court on its own motion Vs. State of Himachal Pradesh and Others.

CWPIL No.14 of 2017

Item No. (D-5)

16.05.2025

Present: Ms. Shreya Chauhan, Advocate, as Amicus Curiae.

Mr. Pranay Pratap Singh, Additional Advocate General, for respondents No.1 to 4-State.

Mr. Pranjal Munjal, Advocate, for respondent No.5-NTPC.

Mr. Aman Sood, Advocate, for respondent No.6.

Mr. Surender Saklani, Advocate, for respondents No.7 and 10.

Mr. Harish Sharma, Senior Panel Counsel, for respondent No.8-UOI.

Mr. Surender Verma, Advocate, for respondent No.14.

Mr. Sunil Mohan Goel, Senior Advocate, with Mr. Abhinav M. Goel, Advocate, for respondent No.15.

Status report on behalf of respondents No.1 to 4 and affidavit on behalf of respondents No.14 to 16 have been filed.

2. It is brought to our notice that the stretch from Slapper to Tattapani Road (km 8/500 to km 61/600) is in various stages on account of the issuance of clearance from the Forest Department, as the clearance was granted by the Ministry of Environment and Climate Change, Chandigarh on 24.02.2025 (**Annexure R-I**).

3. Counsel for the respondents-State has referred to the tabulated summary of these stretches to point out that the work is going on at various stages. The said table reads as under:-

Sr. No.	Portion	Name of Contractor	Percentage of work done
1	8/500 to 20/500 (Intermediate Lane)	Cont. Vijay Sharma (In Progress)	50%
2	25/400 to 31/300 (Single Lane)	Cont. Striker Handa (Completed)	100%
3.	20/500 to 31/300 (Intermediate Lane)	Tender in Progress	0%
4.	31/300 to 36/600 (Intermediate Lane)	Cont. Bhupinder Paul Mahajan (In Progress)	75%
5.	36/600 to 56/600 (Intermediate Lane)	Cont. DCC Builcom Pvt. Ltd. (In Progress)	90%
6.	56/600 to 61/600 (Double Lane)	Cont. Manish Sharma (Completed)	100%

4. Learned Amicus Curiae has pointed out that the affidavit as such, does not give the complete picture as there are certain portions which are not connected through and through while showing us the photographs it is contended that there is no connectivity, as such from one end to the other. Apparently, there is an issue regarding the stretch km 20/500 to km 31/300 which is of 10.800 kms. As per the status report itself, department had called the tender on 19.04.2025 and the finalization of tendering process is to be done by the end of May, 2025.

5. It is brought to our notice that the controversy in issue in the present petition is pending since the year 2008.

6. In such circumstances, we are of the considered opinion that the matter needs to be redressed, at the highest level.

7. Let the Engineer-in-Chief (PWD), Shimla personally inspect the site and the status report be placed on record by way of his affidavit, after due inspection of the site by the next date of hearing.

8. Learned State Counsel shall accordingly file the fresh affidavit by the next date of hearing.

List on **14.07.2025**.

(G.S. Sandhawalia)
Chief Justice

(Ranjan Sharma)
Judge

16th May, 2025
(munish thakur)