

Court on its own motion vs. NHAI and others

CWPIL No. 249 of 2017

23.10.2024 Present: Mr. Ajay Siphaiya, Advocate as *Amicus Curiae*.

Mr.K.D. Shreedhar, Senior Advocate with Ms.Shreya Chauhan, Advocate for respondent No.1-NHAI.

Mr. Balram Sharma, Dy.SGI with Mr. Rajiv Sharma, Advocate for respondent No.2 and for the newly added respondent.

Mr. Anup Rattan, A.G with Mr. Rakesh Dhaulta, Addl. A.G, Mr. Pranay Pratap Singh, Addl. A.G, Mr. Govind Korla, Addl. A.G and Ms. Priyanka Chauhan, Dy. A.G for the respondent-State.

Ms. Himani Verma, Advocate vice counsel for respondent No.6.

A very serious issue has arisen in this case as to whether in the absence of any DPR, the road could have been constructed by the respondent-NHAI, simply on the basis of feasibility. Even though, the Project Director has filed its affidavit, trying to justify its action in constructing the road, however, we are not at all satisfied with the same. Therefore, the highest authority of respondent No.1 file its personal affidavit, clarifying its stand on the issue.

We also deem it appropriate to implead the Ministry of Road Transport & Highways, Transport Bhawan-1, Parliament Street, New Delhi through its Secretary as party respondent. Ordered accordingly.

Issue notice. Mr. Rajiv Sharma, Advocate appears and waives service of notice on behalf of newly

added respondent. The newly added respondent is also directed to file its personal affidavit on or before the next date of hearing.

List on 13th November, 2024.

(Tarlok Singh Chauhan)
Acting Chief Justice

October 23, 2024
(naveen)

(Satyen Vaidya)
Judge