

**Court on its own motion vs. National Highway
Authority of India & Ors. a/w connected matter**

**CWPIL No.249 of 2017
a/w CWPIL No.45 of 2025**

Item No.S-4

CWPIL No.249 of 2017

11.11.2025 Present: Mr. Ajay Sipahiya, Advocate, as Amicus Curiae.

Mr. K.D. Shreedhar, Senior Advocate with Ms. Shreya Chauhan, Advocate, for respondents No.1 and 7.

Ms. Vandana Misra, Senior Panel Counsel, for respondents No.2 and 12.

Mr. Pranay Pratap Singh, Additional Advocate General, for the respondents-State.

None for respondent No.6.

Mr. Ajay Singh Bargoti, Regional Officer, NHAI and Mr. Anand Kumar, PD Shimla, PIU Shimla, present in person.

CWPIL No.45 of 2025

Mr. Ganesh Barowalia, Advocate, as Amicus Curiae.

Mr. Uttansh Monga-petitioner (through V.C).

Mr. Pranay Pratap Singh, Additional Advocate General, for respondents No.1, 4, 6 & 7-State.

Ms. Vandana Misra, Senior Panel Counsel, for respondents No.2.

Mr. K.D. Shreedhar, Senior Advocate with Ms. Shreya Chauhan, Advocate, for the respondents-NHAI.

Status report has been filed by Mr. Ajay Singh Bargoti, Regional Officer, NHAI, Shimla, H.P., who is also present in the Court.

2. A perusal of the report would go on to show that in pursuance of the last order dated 04.11.2025, action has been taken on at least five points as directed, as per the tabulated

chart. It has also been averred that the debris which had fallen in the monsoon season on the road and in the drain has been removed from the Solan-Kaithlighat section. Various photographs have also been appended as Annexure R1/98 in this regard.

3. Perusal of other photographs would also go on to show that muck removal is being done from the Carriageway near Hotel Meghdoot, which started on 03.11.2025. Similarly, muck has also been removed near the stone crusher, thereby opening up the highway to a substantial extent at the said point. Work is also being carried out near Deventure Hotel opposite the petrol pump. The latest photographs as of today morning have also been placed on record, showing that tarring work is now taking place.

4. Keeping in view the above, we are of the considered opinion that the NHAI has taken action only after the intervention of this Court and there has been reasonable improvement in the highway. The travel time has been reduced substantially on account of the fact that the potholes have been repaired and the diversions have also been reduced to the minimum. Even the work in the Kandaghat market and the road leading to Kandaghat has also been improved to a large extent, which is almost one kilometer.

5. Needless to say, since work is still going on for removal of the muck and debris which continues to come down

from the hills at certain points, in such circumstances, we allow the request of the NHAI and permit them to collect the toll w.e.f. 12.11.2025 as proposed earlier.

6. The learned Additional Advocate General has also placed on record the photographs of work which has been carried out at the Boileauganj U-Turn and has submitted that there is seepage of water from the hill side leading to delay in the tarring process.

7. Let necessary steps be taken to reduce the seepage by directing the Municipal Corporation, Shimla to undertake the necessary steps to rectify any leaking pipes and efforts be made to ensure that the water drains out in a manner which does not affect the road which is to be tarred.

8. Needless to say, in case, proactive steps are not continued, this Court will consider imposing costs upon the NHAI and the State.

9. To come up on **09.12.2025**.

(G.S. Sandhwalia)
Chief Justice

November 11, 2025
(ankit)

(Jiya Lal Bhardwaj)
Judge