

Serial No. 02
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

PIL No. 11 of 2022

Date of Order: 08.02.2024

Kynjaimon Amse

Vs. National Highway Authority of
India (NHAI) & Ors.

Coram:

Hon'ble Mr. Justice H. S. Thangkhiew, Chief Justice (Acting)
Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner(s) : Mr. S. Panthi, Adv.

For the Respondent(s) : Mr. S. Sengupta, Adv. (For R 1)
Mr. K. Khan, AAG with
Mr. J.N. Rynjah, GA

Per. H.S. Thangkhiew, Chief Justice (Acting):

An affidavit has been filed by the petitioner in response to the report filed earlier by the respondents. In the said affidavit, certain photographs have been annexed, which as per the details given therein, were taken on 26.01.2024 on NH-6 at Sonapyrdi Village, around Sonapur Tunnel, Kuliang Village, Pyrtakuna Village, Dona Umbluh Village and Ratacherra-Malidor (Assam Border).

A perusal of the same, especially of the condition of the road at Kuliang Village and Pyrtakuna Village, are alarming to say the least, inasmuch as, the picture of the bridge as annexed, even to the naked eye, appears that the bridge is impassable and unfit for vehicular movement. This Court notes with serious concern the condition of this stretch of the Highway. Though submissions have been made in this regard by the learned counsel for the respondent No. 1, that tenders have since been floated, and contracts have been awarded for repair of the same, which he submits will require some more time, the abject condition of the road in the view of this Court requires and deserves to be attended to, on an urgent footing.

Mr. S. Sengupta, learned counsel for the respondent No. 1, has prayed that he may be given some time to answer to the averments/statements made in the last affidavit filed by the petitioner, and has produced a communication dated 06.02.2024 signed by the Project Director, wherein a status report as on 05.02.2024, with regard to the Jowai-Ratacherra road on NH-6, has been enclosed.

Though some pictures depict that some repair works are undergoing, as seen on page 5, 6 & 7, the Project Director it appears, has recycled the photographs at page 8 & 9, inasmuch as, the same photographs were produced before this Court as part of the earlier status report dated

11.12.2023. This Court expresses its displeasure at the flippant attitude adopted by the respondent No. 1, in conducting the proceedings, which are in public interest.

Mr. S. Sengupta, learned counsel for the respondent No. 1, has tendered his apology, by submitting that these photographs have inadvertently been included again, and also submits that this will not be repeated in future.

The Court accepts the apology, and also allows the prayer of the counsel to file a detailed affidavit and status report, to the last affidavit filed by the petitioner.

It is further expected that urgent repairs as required, are attended to at the earliest.

List this matter on 05.03.2024, for further orders.

(B. Bhattacharjee)
Judge

(H.S. Thangkhiew)
Chief Justice (Acting)

Meghalaya
08.02.2024
"V. Lyndem PS"