

Serial No.01
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

PIL No.11/2022

Date of Order: 03.02.2023

Kynjaimon Amse Vs. National Highway Authority of India
(NHAI) & ors

Coram:

Hon'ble Mr. Justice Sanjib Banerjee, Chief Justice
Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner

: Mr. S. Panthi, Adv

For the Respondents

: Mr. K. Khan, Sr.GA

Mr. S. Sengupta, Adv for NHAI

The National Highways Authority of India makes a clean breast of things and submits that despite its previous assurance that the repair work on the Jowai to Ratacherra highway would be completed by January, 2023, a further month's time is necessary to complete the work.

Reports have been filed both by the State Public Works Department (Roads) and by the Project Director of NHAI. Photographs and satellite images have been appended to such reports. According to NHAI, despite the regular repair and maintenance works being carried out, in certain stretches of the Jowai to Ratacherra highway, potholes have surfaced which are being attended to.

It may be observed that if quality repair and maintenance work is carried out, it is not expected that many potholes would surface within a short time thereafter, though there could be one or two cases of accidents and potholes being opened up as a result.

The PWD (Roads) should also ensure that all maintenance and repair work, whether in conjunction with the NHAI or otherwise, across the State highways is completed before the rains arrive.

The petitioner points out that the status report filed by the PWD (Roads) reveals that a 7.997 km stretch of the Jowai bypass between Mukhla (Thadlaskein) and Mihmyntdu has been allotted to a private contractor and the initial deadline set was December 15, 2023 in the hope that the work would have commenced by December 15, 2022. However, the report indicates that there has been a delay in the commencement of the work due to deviations and queries raised by the contractor.

For a start, it cannot be appreciated as to how the repair of an 8 km stretch would require 12 months to complete. It is, however, possible that the entire stretch may be constructed anew and 12 months may be required for such purpose; but the same is not clear from the report.

At any rate, the PWD (Roads) should endeavour to make the road sufficiently motorable since this is a crucial stretch used by good vehicles to go through the State to reach Silchar and Agartala.

The matter will appear in the first week of March, 2023.

List on March 3, 2023.

(W. Diengdoh)
Judge

(Sanjib Banerjee)
Chief Justice

Meghalaya

03.02.2023

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