

HIGH COURT OF MEGHALAYA
AT SHILLONG

PIL No.9/2018

Date of Order: 24.10.2019

Chuba R. Marak

Vs.

State of Meghalaya & ors

Coram:

Hon'ble Mr. Justice Ajay Kumar Mittal, Chief Justice

Hon'ble Mr. Justice H.S. Thangkhiew, Judge

Appearance:

For the Petitioner/Appellant(s)

: Mr. S Dey, Adv

For the Respondent(s)

: Mr. ND Chullai, AAG with

Ms. R Colney, GA

Mr. N Mozika, Sr.Adv with

Mr. ML Nongpiur, Adv for R/10&11

Mr. K Ch Gautam, Adv for R/12

Mrs. R Dutta, Adv vice Ms. A Paul, ASG

i) Whether approved for reporting in Law journals etc.: Yes/No

ii) Whether approved for publication in press: Yes/No

Per Ajay Kumar Mittal, 'CJ': (ORAL):

1. The petitioner by way of this Public Interest Litigation [PIL] filed under Article 226 of the Constitution of India has highlighted the non-construction of National Highway-62 from Tura to Baghmara and also the dilapidated and poor condition of Baghmara Road (Karongre to Dangsa A'we).

2. Upon notice having been issued, the State has filed the affidavit-in-opposition. Learned Additional Advocate General has referred to the affidavit dated 04.07.2019, wherein, the State Government has filed the details of work sanctioned in the State of Meghalaya for construction/repair of the roads with regard to the National Highway under various projects. Learned Additional Advocate General referred to para 3 (Item 2 at page 3 of the affidavit) and (item Nos.1 and 2 at page 5 of the affidavit) in particular regarding the details of the work complained by the petitioner which reads thus:-

“(3) NH – 62

Name of work - Pr from Km 91/000 to Km 104/000 on NH62
in the State of Meghalaya.
Job No.ARP (Phase II)/MG/2016-17/142/9
Sanctioned Cost - 657.4 (Rs in lakhs)
Length Km/M - 13
Remarks - Work has been completed.

(1) NH No. - 62/217

Name of work - Pr to NH 62 from 121/000 to Km 137/000
in the State of Meghalaya.
Job No.ARP/MG/2018-19/143
Sanctioned Cost - 880 (Rs in lakhs)
Length Km/M - 16
Remarks - Work is under progress.
Physical progress – 22%

(2) NH No. - 62/217

Name of work - Pr to NH 62 from Km 44/000 to Km 55/000
in the State of Meghalaya.
Job No.ARP/MG/2018-19/144
Sanctioned Cost - 504 (Rs in lakhs)
Length Km/M - 11
Remarks - Work is completed.”

It has been categorically stated that in respect of the two works they are complete in all respect whereas the other work is under progress.

4. The Court is satisfied that the State has undertaken the construction work on the National Highway and has also carried out repair of the dilapidated and poor condition of the roads.

5. In view of the above, no further consideration is required at this stage. Accordingly, PIL stands disposed of.

(H.S. Thangkhiew)
Judge

(Ajay Kumar Mittal)
Chief Justice

Meghalaya
24.10.2019
“*Lam* AR-PS”