

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

Case:-CPOWP No. 226/2013 in
OWP No. 1208/2011
IA No. 56/2014
c/w
OWP No. 1208/2011

Hari Lal Lalhal

..... Petitioner(s)

Through: None.

Vs

Tanveer Jehan, Secy., PWD and ors.

..... Respondent(s)

Through: Ms. Palvi Sharma, Advocate vice
Mr. Ravinder Gupta, AAG.

Coram: HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE

ORDER
27.12.2023

CPOWP No. 226/2013

1. The instant contempt petition has been preferred against the orders dated 05.09.2011 and 15.07.2013 passed by this Court in OWP No. 1208/2011.
2. This Court vide order dated 05.09.2011 has directed the respondents to commence the work on Bani-Daggar Road, for which an amount of Rs. 12.00 Crores was reported to have been allocated and the said order passed by this Court was reiterated vide order dated 15.07.2013, whereby the respondents were directed to file compliance of the order dated 05.09.2011 within three weeks. Respondents have filed various compliance reports in this regard and the latest was filed on 26.11.2022, which is taken on record, in which a specific stand has been taken that Bani-Daggar Road was sanctioned under CRF in the year 2002-03 for an amount of Rs. 238.20 lacs for a length of 06 Kms and the earth work and some X-drainage works were completed in the length of 5.75 Km by the PWD (R&B) Division Basohli. The further stand of

the respondents in the fresh status report is that the road was allotted/transferred to ERA on 18.12.2007, which is evident from a bare perusal of the Communication dated 01.11.2007 and the work was thereafter taken up by ERA.

3. The further stand of the respondents in the status report is that the road was again handed over to PWD (R&B), Division Basohli by ERA as per 17th Governing Body meeting of ERA under the Chairmanship of the then Chief Minister of the erstwhile State. The status report also reveals that the road length from Bani to Dhaggar is 31.10 Kms out of which 6.000 Km length (Km 7th to Km 32nd) is being maintained by PMGSY Division, Billawar, where in the year 2021-22, BT has been laid by the PMGSY Department and, as such, the total road from Bani to Dhaggar is of BT status and is trafficable.

4. In light of the stand taken by the respondents, it is crystal clear that the order impugned passed by this Court has been complied with in its letter and spirit and nothing remains to be adjudicated any further in the instant contempt petition. The contempt proceedings are, accordingly, *closed* and rule, if any, shall stand *discharged*. The contempt petition is disposed of as such.

OWP No. 1208/2011

Objections stand filed on behalf of respondent Nos. 1, 2, 10 and 11. Let the same be filed on behalf of the other contesting respondents within four weeks, which, however, shall be the last and final opportunity, as the instant petition is pending before this Court since 2011.

List again on **16.02.2024**.

(Wasim Sadiq Nargal)
Judge

Jammu
27.12.2023
Ram Krishan