

**Court No. - 1**

**Case :-** PUBLIC INTEREST LITIGATION (PIL) No. - 1117 of 2024

**Petitioner :-** K.L. Dubey

**Respondent :-** Union Of India Thru. Ministry Of Road Transport And Highway Of India Thru. Secy. And 2 Others

**Counsel for Petitioner :-** Alok Kr. Misra,Utkarsh Kumar

**Counsel for Respondent :-** A.S.G.I.,C.S.C.,Sarvesh Kumar Dubey

**Hon'ble Attau Rahman Masoodi,J.**

**Hon'ble Subhash Vidyarthi,J.**

1. Sri Sarvesh Kumar Dubey, learned counsel for the National Highways Authority of India has placed before us a site plan of the National Highway. Apparently, it is evident that two underpasses in the close vicinity of the residents for whom the grievance has been espoused are already existing at a distance of 470 meters.
2. Any prayer for an additional underpass in the circumstances of the case appears to be unwarranted.
3. Taking the instructions into consideration, we do not consider it to be a fit case where the prayer made in the writ petition has been sought bona fide.
4. At this stage, learned counsel for the petitioner has prayed that he may be permitted to withdraw this writ petition with liberty to take up the cause if the circumstances so exist.
5. The writ petition is accordingly dismissed as withdrawn with the liberty as prayed.

**[Subhash Vidyarthi,J.] [Attau Rahman Masoodi, J.]**

**Order Date :-** 20.12.2024

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