

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2062 of 2014

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1. M/S Bidasaria Auto Service, A Partnership Firm Having its Office At New Bye Pass Road, N.H. 30, Patna through one of its Partners Kamal Kishore Bidasaria, Son of Late Ram Gopal Bidasaria Resident of Chhajubagh, P.S. Kotwali, District Patna

.... Petitioner/s

Versus

1. The Union of India, Ministry o Road Transport and Highways, Government Of India, 5th Floor, Transport Bhawan, 1, Sansad Marg, Gokul Nagar, New Delhi through the Secretary, Government of India

2. The National Highway Authority of India, G-5 And 6, Sector 10, Dwarika, New Delhi through Its Chairman

3. The National Highway Authority of India, Patna Office at Near Basawan Park, South S.K. Puri, District Patna

4. The C and C Construction Ltd. A Company Incorporated Under the Provisions of the Companies Act, 1956 Having its Registered Office at Flat No. G-11, Hemkunj Chamber, Nehru Place, New Delhi- 110019

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Agrawal, Adv.

For the Respondent/s : Mr. N. A. Shamsi, A.S.G.,

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

6 29-06-2015 Heard learned counsel for the parties.

The limited grievance of the petitioner is that the road running adjacent to National Highway No.30 is being constructed in such a manner that there is a wide gap in between service road and the petrol pump, leaving it impossible for any vehicle to approach the petrol pump. It is the complaint of the petitioner that if the service road adjacent to the National Highway No.30 is allowed to be constructed in such a manner then the petrol pump of the petitioner would be rendered defunct.

The limited prayer of the petitioner is that the proposed

service road should be constructed in a manner that the vehicle travelling on the National Highway can conveniently approach the petrol pump through the service road.

This writ petition was filed on 23.1.2014. More than 1 and ½ years have passed and despite the matter having been heard on several dates requiring a response from the respondents i.e. National Highway Authority of India as well as the executing authority i.e. the respondent No.4 both of whom are represented by respective counsel, there is no response to the prayer made in the writ petition.

In the circumstances this writ petition is disposed of with the direction to the respondent National Highway Authority of India and its authorities as well as the respondent No.4, the executing company to ensure the construction of the service road running adjacent to N.H. 30 and the petrol pump of the petitioner in such a manner that it would facilitate the vehicles in approaching the petrol pump of the petitioner without any difficulty.

The writ petition is disposed of with the direction aforesaid.

(Jyoti Saran, J)

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