

HIGH COURT OF CHHATTISGARH, BILASPUR

WRIT PETITION (PIL) No. 6409 of 2011

1. Ex. Defence Officers Welfare Association, A Society Registered Under The Provisions of M. P. Society Registration Adhiniyam Through : Its President Capt. Salil Baron Ray S/o. Late Shri Santosh Kumar Ray, A/o 61 Years, R/o D P S Campus Bilaspur, Chhattisgarh.
2. Dr. Pradeep Sihare S/o Late G P Sihare, Aged About 55 Years R/o Sihare Children Hospital, Bus Stand, Bilaspur (Chhattisgarh).
3. Dr. Shekhar Tiwari S/o Shri R. S. Tiwari, Aged About 53 Years R/o Bharti Nagar Chowk, Ring Road 2, Vyapar Vihar Bilaspur (Chhattisgarh)

---- Petitioners

Versus

1. State of C.G. Through : Department of Urban Administration And Development D. K. S. Bhawan, Raipur Chhattisgarh.
2. Secretary, Public Works Department, D K S Bhawan, Raipur Chhattisgarh.
3. Municipal Corporation Through Commissioner, Municipal Corporation, Bilaspur (Chhattisgarh)
4. Chief Engineer P. W. D. Bilaspur (Chhattisgarh)
5. Collector, Bilaspur (Chhattisgarh)
6. Superintend of Police, Bilaspur (Chhattisgarh)
7. Nagar Palika, Tifra, District Bilaspur (Chhattisgarh), Through C. M. O. Bilaspur, Distt. Bilaspur (Chhattisgarh)
8. Nagar Panchayat, Bodhri, Through C. E. O. District Bilaspur (Chhattisgarh)
9. Simplex Infrastructures Ltd., Through Rajiv Mundra, Director, Simplex House, 27, Shakespeare Sarani, Kolkata 700017
10. Yogesh Barapatre, Senior Manager, Simplex Infrastructures Limited, House No. F-317 Rama Green City, Khamtarai Road, Seepat Road Bilaspur (Chhattisgarh)
11. South Eastern Central Railway Through General Manager, S. E. C. R. Bilaspur (Chhattisgarh)

---- Respondents

For Petitioners	: Shri Saurabh Dangi , Advocate
For Respondent/State	: Shri Y.S. Thakur, Additional Advocate General
For Respondents	: Shri Sandeep Dubey, Shri Sunil Otwani, Shri Pankaj Agrawal and Shri Amit Buxy, Advocate on behalf of Shri Abhishek Sinha, counsel for the respective respondents
For Intervener	: Shri Rajat Agrawal, Advocate on behalf of Shri S.C. Verma, Advocate

Hon'ble Shri Thottathil B. Radhakrishnan, Chief Justice

Hon'ble Shri Sharad Kumar Gupta, Judge

Judgment On Board

Per Thottathil B. Radhakrishnan, Chief Justice

11/07/2017

1. This Writ Petition is filed by the Ex. Defence Officers Welfare Association which is a registered Society. It highlights the deficit in laying and maintaining roads, sewage lines, drains etc. within the limits of Bilaspur city and also the adjoining areas of Bilaspur District including Bodri and Tifra Municipal Councils.
2. Through the different orders and various directions issued in this case, this court has been able to alert the authorities to the requisite zones for consideration. This also includes the need for appropriate measures to de-congest the roads and drains. In the ultimate analysis what appears to be needed is a cohesive approach by the different wings of the administration of that part of the land through the different administrative institutions involved in the governance there. This includes the State Government, the District Administration, the Police, the Municipal Corporation, Bilaspur and the Municipal Councils referred to above. Apart from the above institutions, the involvement of

the different limbs of governance which advise appropriate laying of roads, sewage system etc. would also be relevant. We see that it is the lack of appropriate managerial connectivity between these institutions that has resulted in delay in carrying out the works. We also have before us the learned counsel appearing for Simplex Infrastructure Limited which is given the contract to deal with the sewage system.

3. Having regard to the practical aspects which have to be dealt with by the different limbs of governance, particularly the Municipal Corporation Bilaspur, District Administration of Bilaspur District and the Municipal Councils of Bodri and Tifra as also the Public Works Department etc., we direct that a Committee shall stand constituted by the effect of this order, which we draw on consent of the parties and on the submissions made by the learned Additional Advocate General with due instructions from the officers concerned as well as the submissions of the learned counsel for the Municipal Corporation, Bilaspur. That Committee shall be as follows :-

- (i) District Collector, Bilaspur District - Chairperson
- (ii) Superintendent of Police, Bilaspur District
- (iii) Dy. Superintendent of Police (Traffic), Bilaspur
- (iv) Commissioner, Municipal Corporation, Bilaspur
- (v) Municipal Council, Tifra
- (vi) Municipal Council, Bodri
- (vii) Superintendent Engineer, Public Works Department
- (viii) Executive Engineer, Municipal Corporation, Bilaspur
- (ix) Chief Medical Officer, Bilaspur
- (x) Environment Engineer/Officer nominated by the

Regional Officer, C.G. State Environment

Conservation Board, Bilaspur

(xi) A nominee of Symplex Infrastructure Limited

4. The Committee constituted hereinabove will meet from time to time and as and when as would be found necessary by the District Collector, to decide on all matters which are required to be carried out in a cohesive manner to ensure that the works of laying as well as maintaining and repairing the roads, as also the sewage and drainage system including the public drains, within the areas in question are appropriately carried and completed at the earliest point of time. It should be open to Police officials to ensure meaningful management of the traffic issues to enable the other departments to carryout the works smoothly.
5. We hope that the works will be carried out with the support of the aforesaid Committee and all such work would be completed without delay.
6. This writ petition is ordered accordingly.

Sd/-

(Thottathil B. Radhakrishnan)
Chief Justice

Sd/-

(Sharad Kumar Gupta)
Judge