Serial No. 01
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

MC(PIL). No. 2 of 2019

Date of Order :03.02.2020

Shri. Pillan T. Sangma Vs. State of Meghalaya & Ors.

Coram:

Hon'ble Mr. Justice Mohammad Rafiq, Chief Justice

Hon'ble Mr. Justice W.Diengdoh, Judge

Appearance:

For the Petitioner/Appellant(s) : In person.
For the Respondent(s) : Mr. S.Sengupta, Addl. Sr. GA.

1. This Public Interest Litigation has been filed by Shri. Pillan. T.Sangma under Article 227 of the Constitution of India seeking writ of mandamus to the Public Works Department with a prayer to the following effect:

> *"To construct and provide proper road starting from Williamnagar Simsang Bridge to Samanda Block via Nengsrang Adugre, to repair and widen the road connecting from NH 34 Rongsak Tenali to Williamnagar main town and the existing road in and around Williamnagar town area, issue direction to the PWD Department and the concerned contractor to complete the construction of Rongap Bridge at Baija Bazar which is lying incomplete since past 17 – 19 years. And also issue direction to PWD Department/State Respondent for immediate repair of roads from Garobadtha connecting to Selsela, Rajabala, Pulbari and Tikirkilla of South West Garo Hills District Meghalaya."*

2. This Court has from time to time, passed various orders in this matter. This Court lastly, on 16-11-2019, granted time to the learned Addl. Sr. GA to file the latest status report along with the work order.

3. Respondents have filed the affidavit of Shri. Hubert Nengnong, Executive Engineer, PWD (Roads), Williamnagar Division, East Garo Hills District, Meghalaya to the following effect:

> *"1. That after the finalisation of the Tendering process and approval by the Tender Committee, necessary*

work order has been issued vide order dated 2nd Sept, 2019 and thereafter the construction work had already been taken up by the concerned contractor in terms of the said contract work order.

2. That at present the construction work is still in progress and infact out of 35 kms, earth works for about 14 kms has already been done which will be followed by Granular Sub-Base thereafter followed by 2 layers of WBM (Water Bound Macadam) which will be finally completed by Blacktopping. In this regard it is expected that the entire road construction work is going to be completed well before the stipulated period as provided in the work order as humble deponent is personally monitoring the progress of the said work and ensure early completion."

4. The respondents have placed on record the schedule of allotted rates and the notice to proceed with the work i.e. the work order dated 12th September, 2019 and (the letter of acceptance dated 2nd September, 2019.) Work order has been issued to the contractor to whom the contract was allotted i.e., M/s J.C.Infra Corporation Ltd., Shillong.

5. Mr. S.Sengupta, learned Addl. Sr. GA submits that as per the terms of the contract, the contractor is under obligation to complete the work latest by the end of September, 2021.

6. Considering the affidavit of the Executive Engineer, PWD (Roads), Williamnagar Division, East Garo Hills, Meghalaya and the statement of the learned Addl. Sr. GA, in our view, this PIL, as for the present, has outlived its purpose. It is therefore deemed appropriate to dispose of the same, however, with liberty to the petitioner to get the same revived if the work in question is not completed within the scheduled time.

Accordingly, this writ petition is disposed of with the aforesaid liberty.

(W.Diengdoh)
Judge

(Mohammad Rafiq)
Chief Justice

Meghalaya
03.02.2020
"Samantha PS"