

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.13247 of 2017

Ugrasena Nayak and others

....

Petitioners

Mr. S.K. Mahapatra, Advocate

-versus-

Union of India and others

....

Opposite Parties

Mr. D.K. Mohanty, AGA

Mr. Amitav Das, Advocate

CORAM:

THE CHIEF JUSTICE

JUSTICE CHITTARANJAN DASH

ORDER

06.09.2022

Order No.

07.

1. In paragraph-11 of the affidavit of the NHAI it is stated as under:

“That, it is humbly submitted that, construction of PUP/Flyover depends on several factors like intensity of heavy vehicular traffic, availability of space and public interest etc. Therefore, after taking into account the aforesaid factors the technical team of NHAI has agreed for such construction and accordingly the construction of PUP of size 12*4 meter, Slip Road for 200 meter on either side (7 meter width rigid pavement) & RCC covered drain of 200 meter at Pipilia Chowk (Ch. Km 100+800) amount of Rs.13.46 Crore (including GST) under Change of Scope has been approved in-principle by the Competent Authority of RO, Odisha vide letter dated 28.04.2021 Preparation of detail cost estimate, design & drawing is under process at Supervision Consultant level, after finalization of detail estimate, design and additional land acquisition process is any required, the work will be commenced at site through third party agency by inviting separate Tender at RO level. Copy of letter of approval is filed herewith as Annexure-B/5.”

2. Mr. Amitav Das, learned counsel appearing for the NHAI clarifies that the proposed Pedestrian Under Pass (PUP) will be useable by motor vehicles including tractors and even buses but not trucks.

3. In the considered view of the Court, the Petitioner would do well now to follow up on the above proposal for its timely implementation. No further directions are called for at this stage. The petition is disposed of.

(Dr. S. Muralidhar)
Chief Justice

(Chittaranjan Dash)
Judge

KC Bisoi

