

104.

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CWP-10843-2022

Date of Decision: 20.05.2022

GIRDHARI LAL AND ORS

.... Petitioners

Versus

UNION OF INDIA AND ORS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Keshav Pratap Singh, Advocate,
for the petitioners.

JAISHREE THAKUR.J (Oral)

The petitioners herein have approached this Court seeking a writ in the nature of Mandamus directing the respondents to stop the construction of Toll Plaza at a distance of 48 KMs. It is submitted that there is already a toll plaza in existence at Village Gadpuri, District Faridabad and another one has been constructed at Village Karman, District Palwal, which is at a distance of 48 KMs. It is contended that as per Rule 8(2) of the National Highways Fee (Determination of Rates and Collection), Rules, 2008, the minimum distance between two plazas should not be less than 60 KMs and, therefore, there is no need for the second toll plaza to come up at Village Karman. It is submitted that the petitioners have already filed a representation Annexure P-6 in this regard, however, the same has not been responded to. Counsel would submit that the petitioners would be satisfied in case the said representation is decided in a time bound manner.

Notice of motion.

At this stage, Ms. Kirti Singh, DAG, Haryana, who is present in Court, accepts notice on behalf of respondents No.3 and 4, and Mr. Raghujeet Singh Madan, Advocate, for respondents No.1 and 2.

Let sufficient number of copies of the complete paper book be supplied to them during the course of day.

Without commenting on merits of the case, the present petition is disposed of with a direction to respondents No.1 and 2 to decide representation Annexure P-6 of the petitioners, within a period of two months from the date of receipt of certified copy of this order, in accordance with law and convey the decision to the petitioners. In case of failure to do so, the officer responsible for the lapse would be liable to costs of Rs.20,000/- from his personal pocket, to be deposited with the Punjab and Haryana High Court Advocates Welfare Fund.

20.05.2022
sanjeev

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No