

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

CWP-8201-2020 (O&M)

Date of decision:19.12.2023

Amit Nanda

...Petitioner

Vs.

State of Haryana and others

...Respondents

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MS. JUSTICE NIDHI GUPTA**

Present: Ms. Radhika Suri, Senior Advocate with
Mr. Sidmant Suri, Advocate for the petitioner.

Mr. Deepak Balyan, Additional Advocate General, Haryana.

Mr. Chetan Mittal, Senior Advocate with
Mr. R.S. Madan, Advocate,
Mr. Mayank Aggarwal, Advocate and
Mr. Mahender Joshi, Advocate,
for respondents No.2 to 4.

Ms. Vasundhra Asija, Advocate for
Mr. Pravinder Singh Chauhan, Advocate,
for respondent No.8.

Mr. Deepinder Singh, Advocate,
for respondent No.10.

RITU BAHRI, ACTING CHIEF JUSTICE (ORAL)

The present petition filed under Article 226/227 of the Constitution of India for issuance of a writ, order or direction especially in the nature of certiorari quashing the tender / proposal (Annexure P-3) only to the extent for the construction of the vehicle under pass (VUP) at 53:550 KMs stone connecting with the Amravati Bridge between

Panchkula and Pinjore on National Highway 05 (earlier NH 22) for special access to Amravati Enclave, a private colony at Sector 2 of Panchkula Kalka Urban Complex as there is already a U-turn for access to the Amravati Enclave through an Amravati Bridge which was constructed by the Amravati Aggarwal Group on Kaushalya river a tributary of river Ghaggar.

Vide order dated 14.01.2021, this Court had observed that the main controversy in the present case was related to the load bearing capacity of the bridge, in question. The petitioner was apprehensive that the commercial and heavy vehicles, if plied on the said bridge would lead to its damage and destruction. Mr. Chetan Mittal, learned Senior counsel for NHAI had put forth a proposal that a meeting can be held between the petitioner and all the respondents where this issue can be resolved.

Subsequently, on 12.07.2023, a direction was given to the State of Haryana as well as the National Highway Authority of India (NHAI) to submit an affidavit keeping in view the situation as it exists, post unprecedented floods and the authorities were required to give an affidavit indicating the steps that they have proposed to take for the purpose of mitigating the problem that has arisen on account of the floods.

Affidavit of NHAI filed on 07.11.2023 and State has also filed an affidavit dated 18.12.2023 of Rajeev Yadav Engineer-in-Chief (Roads), Haryana PW (B&R) Department on behalf of respondent No.7.

2023:PHHC:163107-DB

As per affidavit dated 18.12.2023, the Government of Haryana has given approval for transferring the H.L. Bridge constructed on Kaushalya Choe at 51.550 Kms (presently 53.550 kms) of NG22 (New NH 05), bridge portion only from M/s Amar Nath Agarwal Construction Pvt. Ltd. SCO 10-11, Sector 2, Panchkula to Haryana, PWD (B&R) department alongwith all the NOCs, i.e. detailed design, proof checked drawings, as built drawings and safety certificate of bridge and specifications of materials used in construction of the bridge. Accordingly, a letter has been written to the agency M/s Amar Nath Aggarwal Construction Pvt. Ltd. to complete the above-said formalities and hand over the bridge to PWD (B&R) Department, Haryana and thereafter, the bridge will be maintained by the State Government through PWD (B&R) Department, Haryana.

Since, the necessary steps have already been taken by the State, therefore, no further directions are required to be given.

Accordingly, the writ petition stands disposed of.

(RITU BAHRI)
ACTING CHIEF JUSTICE

(NIDHI GUPTA)
JUDGE

December 19, 2023
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No