

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

PUBLIC INTEREST LITIGATION NO.19 OF 2021

Mr. Owais Anwar Pechkar

... Petitioner

Vs.

The Union of India & Ors.

... Respondents

**WITH
INTERIM APPLICATION NO.3427 OF 2023
IN
PUBLIC INTEREST LITIGATION NO.19 OF 2021
WITH
CONTEMPT PETITION NO.474 OF 2021**

Mr. Owais Anwar Pechkar, Petitioner in person.

Mr. Y. R. Mishra i/by Ms. Anusha Amin for Respondent No.1 in PIL No.19 of 2023.

Mr. Ashutosh Mishra a/w P. Sonawane for Respondent No.1 in CP No.474 of 2021.

Mr. Kevic Setalwad, Senior Advocate a/w Mr. Rakesh Singh and Ms. Heena Shaikh i/by M. V. Kini & Co. for Respondent No.2 (NHAI).

Mr. Yashwant Gotakar, Project Director (NHAI) is present.

Mr. Laxmikant Jadhav, Executive Engineer, N. H. Division, Ratnagiri is present.

Mr. P. P. Kakade, Government Pleader a/w Mr. O. A. Chandurkar, Add. GP a/w Smt. R. A. Salunkhe, AGP for the Respondent-State.

**CORAM : DEVENDRA KUMAR UPADHYAYA, CJ. &
ARIF S. DOCTOR, J.**

DATE : 03rd JANUARY 2024

P.C. :

Heard Mr. Owais Anwar Pechkar, the Petitioner, who appears in person, Mr. P. P. Kakade, learned Government Pleader representing the Respondent-State and Mr. Kevic Setalwad, learned Senior Counsel assisted by Mr. Rakesh Singh representing the National Highways Authority of India.

2. This Public Interest Litigation Petition has been filed in respect of the repair and widening of National Highway – 66, which emanates from Panvel and terminates at Sawantwadi. The project of road widening of National Highway-66 was undertaken way back in the year 2011, however even after a period of twelve long years having elapsed, till date the road widening and other repair works are not complete.

3. Delay in such infrastructural projects not only cause numerous difficulties to the members of the public, which use

such roads, but it ultimately cause burden on the State Exchequer. Any delay in completion of such projects necessarily entails ever rising construction costs, which ultimately is to be borne by the public at large.

4. The Affidavit filed by National Highways Authority of India gives the details of the progress of the works and further states that Package I is expected to be completed by May 2024, whereas, Package II is expected to be completed by December 2024. Paragraph 5 of the Affidavit filed by the National Highways Authority of India is extracted herein below :-

"5. *As per the assurance given Package I is expected to be completed by May 2024 and Package II is expected to be completed by December 2024.*"

5. Thus, as per the said averments contained in the Affidavit filed by the National Highways Authority of India, the stretch of the National Highway-66 comprises in Package I and Package II are to be completed by December 2024.

6. Learned Government Pleader has stated that apart from aforesaid two Packages, where construction has been undertaken by the National Highways Authority of India, the road widening contains ten more Packages, which are under construction by the State Public Works Department and out of these ten Packages, work in three Packages has been completed and in rest of the seven Packages, it shall be completed by 31st December 2024. The said statement by learned Government Pleader has been made on the basis of Affidavit sworn in by Trupti Brijlal Nag, the Superintending Engineer, National Highway Circle, Navi Mumbai, who is present in Court as well.

7. Thus, we dispose of the Writ Petition with the direction that the entire stretch of the road in question, i.e., National Highway-66 shall be completed in all respects including road widening and repair works, by 31st December 2024. This direction has been given on the basis of assurances contained in the Affidavits filed by the National Highways Authority of India and the State Public Works Department and, accordingly any deviation, in the form of any delay, in the timeline as aforesaid

may be viewed by the Court seriously, which may amount to contempt of court.

8. With the aforesaid observations and directions, the Public Interest Litigation Petition is finally disposed of.

9. Since the Petition is being disposed of finally by this order in terms of the undertaking given by the National Highways Authority of India and the State Public Works Department, the Contempt Petition also stands disposed of.

10. Interim Applications, if any, shall also stand disposed of.

(ARIF S. DOCTOR, J.)

(CHIEF JUSTICE)