

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.16 of 2024
In
Civil Writ Jurisdiction Case No.9101 of 2018

M/s Aditya Multicom Private Limited a Company incorporated under the provisions of the Companies Act, 1956 having its registered office at 12, Waterloo Street, 2nd Floor, Kolkata-700069, through its Chief Executive Officer, Sadashiv Prasad Singh, aged about 61 years (male), son of Mareshwar Singh, resident of 410, Ganeshalay Apartment, Jharudih, Near Carmel School, Matkuria, P.S. Dhanbad, District Dhanbad, Jharkhand 826001.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sri Shri Parmar Ravi Manubhai, the Mines Commissioner- cum-Principal Secretary, Department of Mines and Geology, Bihar, Vikas Bhawan, Bailey Road, Patna- 800001.
3. Md. Nayyer Iqbal, The Joint Secretary-Cum-Director, Directorate of Mines and Geology, Bihar, Vikas Bhawan, Bailey Road, Patna.
4. Sri. Navin Kumar, The District Magistrate-cum-Collector, Rohtas, Sasaram.
5. Sri Anil Kumar, The District Mining Officer, Rohtas, Sasaram.
6. The Bihar State Mining Corporation Limited, A Government of Bihar Undertaking, Room No.164, Vikas Bhawan (New Secretariat), Bailey Road, Patna- 800015 through Sri. Anand Prakash Sinha, General Manager.
7. The Depot Manager, (Name not known), Bihar State Mining Corporation Limited, Rohtas, Sasaram.
8. National Highway authority of India through Project director, Project implementation unit Rohtas, Sasaram
9. The Department of Environment, Forest and climate change through the Additional Chief Secretary Govt. of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Suraj Samdarshi, Advocate
	:	Mr. Avinash Shekhar, Advocate
	:	Mr. Vijay Shankar Tiwari, Advocate
	:	Ms. Abhilasha Jha, Advocate
	:	Ms. Simran Kumari, Advocate
For the State	:	Mr. Vivek Prasad, GP-7
For the Dept. of Mines	:	Mr. Naresh Dixit, Spl. PP Mines
	:	Mr. Braj Bihari Tiwari, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

16 26-09-2025

Heard the parties.

2. The present petition has been preferred for the grant
of following relief(s):



“for initiation of proceeding of contempt against the Contemnors-Opposite Parties for willful and deliberate disobedience and utter disregard of the order dated 10.08.2023 passed by the Hon’ble Court in CWJC No. 9101 of 2018 and also for punishing the contemnors-opposite parties suitably for acting in violation of the said order.”

3. Pursuant to the last order, the Station Head Officers of Police Stations namely, Dhangai, Jagdishpur, Kochas, Dinara and Mohania are present.

4. The detailed compliance report has been submitted by the learned GP-7, Mr. Vivek Prasad and this Court is thankful to him that the tremendous work he has done alongwith learned counsel for the National Highway Authority of India (henceforth for short ‘the NHAI’), Mr. Gaurav Govinda, learned Assistant counsel to Dr. Maurya Vijay Chandra. Beside, this Court would like to put on record its word of appreciation for Mr. Vicky Anand, Manager Technical of ‘the NHAI’ and Mr. K.N. Singh, Team Leader, Supervision and Construction of ‘the NHAI’.

5. Despite three of the Police Officers having joined recently, as also the two other Police Officers, pursuant to the



order, it seems they have also worked hard and have further assured that they shall be continuing their efforts to make the Highway secure for those who are taking the route for the long distance travellers.

6. The detailed compliance report read as follows:

Subject: Subject Report on Plantation Work and Median Breach Closure along National Highway-319 and Construction of Rest Rooms

Vide order dated 22.08.2025, this Hon'ble Court was pleased to direct inter alia to ensure that the medians that have been breached under the jurisdiction of Police Stations across the National Highway 319 are repaired/closed and also to take action against violation of traffic rules and to submit an affidavit with regard to action taken between the period 01.01.2025 to 22.08.2025. In compliance of the order passed by this Hon'ble Court the SHOs concerned have filed their affidavit informing that the breached medians in their jurisdiction have been closed and effective preventive or remedial steps have been taken by them in the interest of right to life and safe travel on road which is integral part of Article-21 of the



Constitution.

In compliance with the directions issued by the Hon'ble Court the following actions have been taken by the SHO of the Police Stations across the National Highway-319.

Closure of Median Breaches

(i) Dhangai Police Station- It is reported that five road accidents occurred during the period 01.01.2025 to 22.08.2025, these accidents were not on account of median breaches but due to rash and negligence driving. A sum of Rs. 1,65,000/- has been collected as fine from persons violating the traffic rules. All median breaches have been closed including one in front of the Dhangai Police Station.

(ii) Jagdishpur Police Station- Seven cases of road accident have been filed, action against 18 persons for violation of traffic rules has been taken and a sum of Rs. 7,27,000/- has been collected as fine for violation of traffic rules. All median breaches except permissible crossing have been closed including breaches at chainage 10, 17 & 22.



(iii) Mohania Police Station- All 18 median breaches have been closed.

(iv) Kochas Police Station- Out of six median breaches, four have been closed and remaining two has been assured to be closed after Durga Puja. Penalty against 813 persons have been imposed.

NHAI Report

Annual safety audit is carried out every 12 months. Two amenities facility have been made available at Babhiniyanw, Bhojpur, the cleanness and sanitization is maintained by the Contractor and Signboards have been placed. As per affidavit 21 median breaches in Bhojpur, one in Buxar, 27 in Rohtas and 18 in Kaimur has been closed. 12 median breaches could not be closed on account of obstruction by local people under Sonbarsa, Nawanagar, Dawat which shall be closed with the help of local people.

The closure of these breaches has significantly reduced the risk of accidents caused by sudden cross-traffic movement and unauthorized pedestrian crossings.



Plantation work along the highway, including the median and adjoining areas.

The plantation work was carried out in the district of Bhojpur, Rohtas, Kaimur and Buxar. 18000 plants have been planted in the financial year 2024-25 on 45 km stretch on NH-319, Further, 2389 plants have been planted and the gaps have been filled up to a consideration extent. As per assurance the plantation work was carried out in the designated area and the left over stretch in the district of Bhojpur and Kaimur is complete. The plantation work in Rohtas has also been undertaken on the left side of the road between Maliyabagh and Kochas, however, the plantation at the right side of the road is in progress. The plants are protected by Mound gabions and bamboo gabions and the growth of the plant is satisfactory.

NHAI has reported that 11500 number of plantation on the median has been carried out in the stretch of National Highway 319. The remaining plantation work has been assured to be completed by 10.10.2025. Unwanted bushes and shrubs on the median for 24.7 km have been



completed and the remaining work has been assured to be completed by 30.09.2025 for which the contractors have been directed.

Construction of rest rooms at designated spots

For the benefit of highway users, the construction of restrooms is also in progress, the construction of guest room in the district of Bhojpur is near completion and in the district of Rohtas, the District Magistrate has directed the Executive Engineer concerned to complete the construction of 3 restrooms in compliance of order passed by the Hon'ble Court. The work order has been issued vide Letter No. 2139 and Letter No. 2138 dated 22.07.2025 to the successful bidder and it is being looked after by the concerned Executive. The Earth work of the restroom at Hanumanpatti has been started. Due to excessive heavy rain and water logging, the construction could not progress in water logged area however; the assurance has been given that as soon as the land is free from water logging the construction will be carried out.

Conclusion

Significant progress has been achieved in



compliance of the Hon'ble Court's directions. The plantation work and closure of median breaches have been largely completed, contributing to road safety, environmental improvement, and public convenience. The remaining task of completing the construction of rest rooms is actively being pursued under the supervision of the District Magistrates, and is expected to be completed shortly.

Continued monitoring by the concerned District Magistrates, Divisional Forest Officers to ensure timely completion and sustained maintenance of plantation in their respective areas is being done. The median breaches have been closed except of few as indicated above which has been assured to be closed with the help of local police in compliance of the order passed by this Hon'ble Court and as such the present contempt petition deserves to be closed.”

7. Learned State counsel submits that in the aforesaid background, the contempt petition can be disposed of.

8. Learned counsel for the petitioner has apprehension that in case, the same is disposed of, the work may come to stand



still and all the efforts may go in vain.

9. Learned State counsel submits that though he is assured that all the functionaries have taken interest in the matter and now that 'the NHAI' has also been roped in the present matter and are taking all interest, in that background, all the stake holders shall see to it that the area becomes green in next few months. Beside, the Restrooms shall also be made functional. However, liberty is always there to the petitioner to file fresh petition or pray for its revival if the same is not taken to its logical conclusion.

10. Agreeing with the words of Mr. Vivek Prasad, learned GP-7 and appreciating all the stake holders for the tremendous work they have done to make the Ara-Mohania National Highway 319 as a model Highway for the State of Bihar, granting liberty to the petitioner to agitate the matter, if the situation so arises and/or the order is not fully complied, the MJC No. 16 of 2024 is disposed of.

11. The appearance of all the Station Head Officers stand dispensed with.

(Rajiv Roy, J)

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