



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR.**

**PUBLIC INTEREST LITIGATION NO. 26/2023.**

Damodar Kawduji Band and others.

**-VERSUS-**

Union of India and others.

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Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and Registrar's orders.

Court's or Judge's Orders

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Shri S.C. Mehadia, Advocate for Petitioners.  
Shri N.S. Deshpande, DSGI for Respondent Nos.1, 3 and 4.  
Shri A.A. Kathane, Advocate for Respondent No.2.  
Shri A. Fulzele, Addl.G.P. for Respondent No.5.  
Shri S.K. Mishra, Senior Advocate with Shri U.Dable,  
Advocate for Respondent No.6.

**CORAM : NITIN W. SAMBRE**  
**AND M.M. NERLIKAR, JJ**

**DATE : JULY 11, 2025.**

Heard.

2. We have perused the affidavit filed by respondent nos.1, 3 and 4, wherein in paragraph no.7 it has been stated as under :

*“7. It is submitted that with the construction of bye pass to Kanhan and Kamptee towns jointly with Nagpur City, the National Highway traffic has reduced tremendously and as such presently constructed bridge is sufficient to cater the*

*traffic. The Kamptee and Kanhan being urban area, the National Highway has developed the 4 lane road in urban area to facilitate the local city traffic from congested commercially developed city limit. However, pursuant to this petition the MoRTH has decided to conduct to assess the study need of additional bridge at this location and to assess the technical and financial feasibility, costing of project. As far as estimates prepared in the year 2018 is concerned it is submitted that they were prepared for determination of cost feasibility and technical feasibility of the project. It is found that the construction of new bridge required displacement of habitation and its settlement and also huge Land Acquisition from Cantonment Board and Railway Department and Private Land all this scenario has led the study with non feasibility of bridge. On necessity as present bridge is sufficient to cater the traffic.”*

2. In view of the aforesaid pleading, present Public Interest Litigation is disposed of as not pressed.

JUDGE

JUDGE