



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

PUBLIC INTEREST LITIGATION NO.27 OF 2025

Dinesh S/o Sheshrao Thakre, Ramdeobaba Layout, Katol, Nagpur and anr.

-vs-

Union of India, Thr. Secretary, Ministry of Road Transport and Highways, New Delhi and ors.

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

Court's or Judge's Orders.

Shri M. I. Dhatriak, Advocate for petitioners.
Shri S. A. Choudhary, Advocate for respondent No.1/Union of India.
Shri A. A. Kathane, Advocate for respondent No.2/NHAI.
Shri D. V. Chouhan, Senior Advocate and Government Pleader with Shri D. P. Thakare,
Additional Government Pleader for respondent Nos.3 to 7.
Shri A. C. Jaltare, Advocate for respondent No.8.
Shri S. P. Dharmadhikari, Senior Advocate with Shri C. S. Dharmadhikari, Advocate and T. P.
Deshpande, Advocate for respondent No.9.

CORAM : NITIN W. SAMBRE AND SACHIN S. DESHMUKH, JJ.

DATE : July 01, 2025

1. An assurance is given by Shri S. P. Dharmadhikari, learned Senior Counsel appearing for respondent No.9 that an affidavit dealing with the issue as regards whether the respondent No.9 is liable for prosecution shall be placed on record by tomorrow.

Statement is accepted.

2. The learned Amicus has invited our attention to the delay in the matter of execution of the width expansion project connecting the Nagpur inner ring road to outer ring road.

3. When confronted, Shri A. A. Kathane, learned counsel appearing for National Highways Authority of India (NHAI) indicates that there are certain illegal structures/encroachments, removal of which is resisted by the persons occupying the said area and as such some time is required for removing the same.

4. We fail to understand as to why the Police Authority, the Revenue Authority and the State Public Works Department shall not

extend all possible support to the NHAI in the matter of maintaining the roadline so as to avoid the repetition of encroachments on the public land which is causing impediment in the smooth flow of traffic.

5. In this backdrop, we deem it appropriate to direct the Police Commissioner, Nagpur, the Chief Engineer (PWD) Nagpur Circle, the Chairman/Managing Director of NMRDA and the NHAI to forthwith initiate the drive to remove all the encroachments which are creating impediments in the matter of execution of the project for expansion/widening of the existing road connecting inner and outer ring road which is known as Fetri road. The encroachments shall be removed within a period one week from today that too by initiating joint action and report in that regard be placed on record.

6. Through an affidavit sworn by Shri Chandrakant Sinha, Project Director, Project Implementation Unit, Nagpur, it is brought to our notice that 8.10 km length of stretch from Nagpur-Katol National Highway is identified as Tiger Corridor-I and that being so, the project for improvement of said National Highway which commenced from September 2021 caused delayed for clearance and appropriate planning.

7. In response to the Court query, Shri Kathane, learned counsel appearing for NHAI informs that necessary clearance from the Ministry of Environment and Forest is already received and the ball is now in the court of Ministry of Road Transport.

8. As such, Shri Choudhary, learned counsel appearing for respondent No.1-Union of India and Ministry of Transport is directed to take instructions and make a statement on the next date of hearing as to within how much time, the project in question shall cleared by the

said Ministry so as to make it convenient to the NHAI to start execution of the work.

9. The aforesaid order is passed keeping in mind that the project in question is already lacking behind of the time schedule and there are number of road accidents so also inconvenience being noticed to the commuters.

Stand over to 09/07/2025.

(Sachin S. Deshmukh, J.)

(Nitin W. Sambre, J.)