

MC (PIL) No. 8 of 2018

Date of order: 06.12.2021

Kynjaimon Amse

Vs.

Union of India & Ors.

Coram:

Hon'ble Mr. Justice Sanjib Banerjee, Chief Justice

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. S. Panthi, Amicus Curiae

For the Respondent(s) : Mr. R. Debnath, CGC
Mr. S. Sengupta, Addl. Sr. GA

No explanation has been forthcoming from the respondents as to why adequate steps have not been taken for repairing the Sonapur to Borghat road in the East Jaintia Hills District.

On behalf of the State a letter dated November 24, 2021 issued by the Superintending Engineer (Civil) of North Eastern Council Secretariat has been placed. Such letter reveals that a sum of Rs. 62.20 crore was available with the North Eastern Council which has been allotted for the construction of a road between Chandang Saddle and Noklak in Nagaland.

While it is noted that the relevant road in Nagaland may have been more important, it will not do for the State Government responsible for maintaining the Sonapur to Borghat road to abdicate its responsibility by referring to the relevant letter of the North Eastern Council.

It may do well to recall that the public interest litigation was filed in the year 2018 and, according to the petitioner, no measures have been taken to repair the relevant road since. Even though the National Highways Authority of India has been impleaded herein, no response has been filed by NHAI.

The matter will appear a fortnight hence for both the State and the NHAI to indicate the immediate measures proposed for repairing the Sonapur to Borghat road on an urgent basis. It may suffice to take up patchwork, if funds for completely laying the road may not be available, but

some serious intent at repairing the road must be evident. It will also be open to the petitioner to rely on the photographs regarding the present state of the road.

Let the matter appear on December 15, 2021.

(W. Diengdoh)
Judge

(Sanjib Banerjee)
Chief Justice

Meghalaya
06.12.2021
"Sylvana PS"

