
(2016) 12 JH CK 0009
In the Jharkhand High Court
Case No : W.P. (PIL) No. 36 of 2015

Ratan Devi

APPELLANT

Vs

The State of Jharkhand

RESPONDENT

Date of Decision : 01-12-2016

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2017) 1 AIRJharR 478

Hon'ble Judges : Mr. D.N. Patel and Mr. Ratnaker Bhengra, JJ.

Bench : Division Bench

Advocate : Mr. Kumar Sundaram, Advocate, for the Respondent/State; Mr. Prabhash Ch. Sinha and Mr. Vijay Kumar Sinha, Advocates, for the Respondent nos. 5 to 8; Mrs. Chandra Prabha, Advocate, for the Petitioners

Final Decision : Disposed Off

Judgement

Mr. D.N. Patel, J. (Oral) - This writ petition has been preferred for the following prayers:-

"(a) For the direction upon the respondents for the completion of Rail projects living pending since 12 years in the State of Jharkhand as soon as possible.

(b) For the direction upon the respondents before this Hon''ble Court as to which extent the Project has been implemented by the State Govt. and Railways.

(c) For the direction upon the respondents to explain before this Hon''ble Court as to what estimated time is required by them for the completion of the project, to avoid any further cost overrun."

2. Having heard counsel appearing for both sides and looking to the facts and circumstances of the case, it appears that the petitioners are in hurry to get the railway lines for which, Central Government as well as State Government are working strenuously.

3. In paragraph no. 3 of the memo of this writ petition, following are the train

routes mentioned, for which construction of railway line/track was to be done.

Sl.No.

Line

Length (KM)

Cost as per MOU (Rs. Cr.)

1

Koderma Ranchi

200

1002

2

Koderma Giridih

110

351

3

Koderma Tilaiya

14

74

4

Deoghar Dumka

60

200

5

Dumka Rampur Hat.

69

154

6

Ranchi Lohardaga

113

216

Total Length-

Rs. 1997 Crore

4. It is further submitted by counsel for the petitioners that out of aforesaid six railway tracks, which were to be constructed, one has been completed which is at Serial no. 1, (Koderma-Ranchi route) and Serial No. 6 (Ranchi-Lohardaga route) has also been partially completed and remaining tracks are under construction.

5. It is further submitted by counsel for the petitioners that there are attacks upon the contractor and his workers, who are laying down the railway track and there is delay in the project and, hence, obviously, the price escalation has resultant effect. Therefore, a suitable direction may be given to the State-Government as well as Central Government authorities to complete the construction of laying down of railway tracks, which have been mentioned in paragraph no. 3 of the writ petition.

6. Having heard counsel for the both sides and looking to the facts and circumstances of the case, it appears that the respondents are already working for laying down of the railway tracks. Koderma-Ranchi Track, length of which is 200 k.m., have been completed and by now it has been made operative also. Laying down of Deoghar-Dumka railway track has also been completed which is at serial no. 4 of the aforesaid table and it has now been made operational, for the public at large.

7. Another railway track from Ranchi-Lohardaga has also been laid down and the experimental work is going on. For rest of the railway tracks, work is going on. The completion of the work depends upon several factors. This court is not a Cost Accountant, Chartered Accountant or an Engineer. This court will not give any direction to the respondents, how more efficiently, the railway track can be laid down by the respondents. Respondents have already engaged expert engineers for this work. Nonetheless, we hereby, direct the respondents to complete the work of laying down of railway track for the left out tracks from the aforesaid table mentioned herein above, as early as possible and practicable, so that minimum price escalation will be burdened upon the respondents. The State of Jharkhand will also provide necessary police protection to the persons, who are working for the aforesaid noble work of laying down of the railway tracks.

8. With this observation, this Public Interest Litigation stands disposed of as this court do not want further to monitor the laying down of the railway tracks for the aforesaid routes.