

(2010) 03 SHI CK 0071
In the High Court Of Himachal Pradesh
Case No : C.W.P. No. 1586 of 2007

Vinod Thakur

APPELLANT

Vs

Union of India (UOI) and Others

RESPONDENT

Date of Decision : 29-03-2010

Acts Referred:

Citation : (2010) 03 SHI CK 0071

Hon'ble Judges : Kurian Joseph, C.J;R.B. Misra, J

Bench : Division Bench

Judgement

Kurian Joseph, C.J.—This Writ Petition is filed with the following prayers:

- a. Declare the act of respondents of not properly developing and maintaining National Highway 22 as per the Statutory Provisions of National Highway Act, 1956 as bad in law with further direction to undertake repair work on National Highway 22 including black tarring of the entire Highway in a time bound direction.
- b. Direct respondents to Constitute a Committee comprising of officers of Union of India and State of Himachal Pradesh and Haryana under the aegis of Secretary Surface Transport to the Government of India, to formulate a traffic policy for management of traffic from Pinjore onwards in Haryana to Dhalli near Parwanoo in Himachal Pradesh to ensure free and smooth flow of traffic between Pinjore and Parwanoo and to take all necessary steps that may be required in this regard including re allocation of various check posts in Himachal Pradesh on said Highway or demolition of structures on the Highway creating bottlenecks.
- c. Direct the respondents to stringently check vehicles entering into the State of Himachal Pradesh especially commercial vehicles to ensure that no vehicle with fake registration etc. enters the State of Himachal Pradesh and drivers plying vehicles in Himachal are authorized to ply vehicles in Hill areas. Further direct the respondents not to permit vehicles which are over loaded to enter the State of Himachal Pradesh.

d. Direct the respondents to increase Traffic patrolling on NH 22 to such proportions that the same is visible as a deterrent to law breakers and as an assurance to ordinary citizens. Direct respondents to open Trauma centres on NH 22 especially in Himachal Pradesh with good medical facilities for providing at least proper FIRST AID.

2. As far as the toll collection, easing of traffic congestion etc. are concerned, we have already issued certain directions in the judgment passed in CWP No. 1323 of 2005. As far as other grievances are concerned, we are of the view that a team working under the Regional Transport Officer, Solan, will have to take appropriate action. Therefore, there will be direction to the Regional Transport Authority, Solan and Regional Transport Officer, Solan to see that appropriate action in the matter is taken so as to avoid use of vehicles with the fake registration at the gateway of Himachal Pradesh, namely Parwanoo. The above authorities -3 will also ensure that the drivers and owners of the vehicle(s) comply with the directions and regulations issued from time to time. There will also be direction to the second respondent-Chief Secretary, to the Government of Himachal Pradesh, to properly co-ordinate various issues with their counterpart in Haryana, 3rd respondent herein, so that the interest of the public in both sides are served better particularly at Parwanoo.

3. Learned Counsel appearing for the petitioner, referring to the affidavits submits that earnest efforts are being taken to expedite and comply the directions of the widening of the National Highway and construction of the by-pass. We direct the National Highway Authority of India to see that the above work is given priority and also to see that the work is completed within the targeted period.

4. We also make it clear that in view of the likelihood of the traffic congestion in that area, the authorities concerned shall comply with the direction in the order dated 27.9.2007, not to permit any rally or procession etc., which may create traffic congestion.

5. With these observations, the Writ Petition is disposed of, so also the pending application(s), if any, recording also our appreciation for the efforts taken by the petitioner in exposing a public cause.