

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/WRIT PETITION (PIL) (WRIT PETITION (PIL)) NO. 48 of 2022****With****R/WRIT PETITION (PIL) NO. 22 of 2023****With****CIVIL APPLICATION (FOR DIRECTION) NO. 3 of 2025****In R/WRIT PETITION (PIL) NO. 22 of 2023**

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MINESHKUMAR PARMAR**Versus****MINISTRY OF ROAD, TRANSPORT AND HIGHWAYS & ORS.**

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Appearance [in WP(PIL) No. 48 of 2022]:

MS GARIMA MALHOTRA(11392) for the Applicant(s) No. 1

MR VATSAL K TRIVEDI(10957) for the Opponent(s) No. 1

MR YOGESH G DEV(5700) for the Opponent(s) No. 1

MR. MAULIK G. NANAVALI FOR NANAVALI & CO.(7105) for the
Opponent(s) No. 2,3

Appearance:

MS MEGHA JANI, SR. ADV. WITH MR. ARJUN M. JOSHI, ADV. FOR THE
PETITIONER

MR. MAULIK G. NANAVALI FOR THE RESPONDENT No.2

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**CORAM:HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA
AGARWAL****and****HONOURABLE MR.JUSTICE D.N.RAY****Date : 27/02/2026****ORAL ORDER****(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA AGARWAL)**

In the present petition, the petitioners herein are raising the issue with regard to mismanagement of a section of National Highway between Ankleshwar- Bharuch, Bharuch-Surat and Surat-Dahisar, wherein the road conditions have been pitiable for a long

time. It is submitted by Ms. Megha Jani, the learned senior advocate assisted by Mr. Arjun Joshi, the learned advocate for the petitioner, that there has been consistent congestion on the aforesaid sections of the National Highway No.8 with the heavy movements of the commercial transport vehicles for the area marked heavily by manufacturing industries. There is a complete dereliction on the part of the NHAI, which is in absolute management and control of the said section of old NH-8 between the aforesaid stretches.

2. The contention is that the National Highway Authority has collected huge toll from the toll plazas put up on the aforesaid road stretches.

3. Mr. Maulik G. Nanavati, the learned advocate for the NHAI in response would submit that the NHAI is facing difficulties in the proper management and control of the aforesaid sections because of the non-cooperation of the local police and administrative authorities. The issues pertaining to parking of the vehicles on the road side and mushrooming of *dhabas* on the roadside and a section of the roads by encroachment of the portion of the National Highway, is a major cause of concern.

4. Noticing the above, we find that before proceeding further, it is required that an affidavit of the Project Directors, NHAI of the concerned areas shall be filed to bring on record :(i) the construction or repair works conducted by the NHAI in the last three years specifically showing the intervals and the manner in which the repairs and maintenance of the aforesaid sections of the National Highway in the aforesaid stretches have been carried out; (ii) the amounts spent by NHAI in the operations and maintenance

of the aforesaid sections of the National Highway vis-a-vis the toll collected by the NHAI in the last three years.

5. Let such an affidavit be filed before the next date fixed, a copy whereof shall be served upon the learned counsel for the petitioner in advance.

Put up on 10.04.2026 at 12.30 p.m.

(SUNITA AGARWAL, CJ)

(D.N.RAY,J)

C.M. JOSHI