

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**PUBLIC INTEREST LITIGATION NO. 19 OF 2021
WITH
CONTEMPT PETITION NO. 474 OF 2021**

**Mr. Owais Anwar Pechkar } Petitioner
 Versus
The Union of India and Ors. } Respondents**

Mr. Owais Pechkar, petitioner in-person.

Mr. P. P. Kakade, Government Pleader with Ms. R. A. Salunkhe, AGP for State.

Mr. Y. R. Mishra i/b. Ms. Anusha Amin for respondent no. 1 (UoI) in PIL/19/2021.

Mr. Pranil Sonawane with Mr. Ashutosh Mishra for respondent no. 1 (UoI) in CP/474/2021.

Ms. Heena Shaikh i/b. M. V. Kini and Co. for respondent no. 2 (NHAI).

Mr. Vaibhav Sharma with Mr. Tanmay Bidkar i/b. Mr. Shreyas Shrivastava for respondent no. 12 in PIL/19/2021.

**CORAM: DIPANKAR DATTA, CJ. &
 ABHAY AHUJA, J.**

DATE: NOVEMBER 21, 2022

P.C.:

- 1.** The PIL petition has been listed today in terms of the order dated 10th October 2022 of a coordinate Bench.
- 2.** Mr. Pechkar, learned advocate appearing in-person, submits by relying on an affidavit dated 11th November 2022 filed by him, that the Court's expectation as recorded in paragraph 7 of the said order has been belied. He has drawn

our attention to the photographs forming part of such affidavit (pages 785 to 794).

3. If the photographs are to be believed, the National Highways Authority of India (hereafter "NHAI", for short) seems to have taken the matter not too seriously. However, now that the affidavit has been filed together with the photographs forming part thereof giving us glimpses of part of the stretch of National Highway No. 66 between Panvel and Indapur, we direct the NHAI to make honest efforts to fill up all the potholes and to level the undulated portions to make driving on such stretch comfortable. An affidavit shall be filed, with regard to the action taken in terms of this order, by 23rd December 2022.

4. Mr. Kakade, learned Government Pleader appearing for the State submits that payment of Rs.15,91,40,516/- as referred to in paragraph 10 of the said order was made over to the Forest Department sometime in October 2022 and that working permission has since been received from the Forest Department on 14th November 2022.

5. In such view of the matter, we would expect the concerned respondents to proceed in the right direction for bringing about further progress of work with regard to completion of four-laning of National Highway No. 66 (Mumbai to Goa stretch). Status report must be filed by 4th January 2023, as directed earlier.

6. Affidavit of the Union of India, if filed in the department by day after tomorrow, shall be accepted.

(ABHAY AHUJA, J.)

(CHIEF JUSTICE)