

**IN THE HIGH COURT AT CALCUTTA
In the Circuit Bench at Port Blair
Appellate Side**

20.02.2023

Item No. 1

Crt.No.11

F.B.

(Via Video Conference)

**WPA (P) 3 of 2022
with
IA No. CAN 1 of 2022**

(Part-Heard)

Court on its own Motion

-vs-

The Lieutenant Governor & Ors.

Mr. Gopala Binnu Kumar

Mr. Deep Chaim Kabir

..... Special Officers.

Mr. Satadru Chakraborty

Mr. Ramendu Agarwal

..... for the A & N Administration.

Mrs. Anjili Nag,

Ms. Vishal Kumar Biswas

..... for the Vasstha Contractor.

Mr. Shamit Sanyal

Ms. Manika Roy,

Mr. Sabyasachi Roy

..... for the NHIDCL.

Party/Parties is/are represented in the order of their name/names as printed above in the cause title.

A Joint Report has been filed by the two Learned Special Officers. The Joint Report is divided into two parts. The First Part covers the stretch of NH-4 starting

from Chidiyatpu to Rangat. The Second Part covers the rest of NH-4 from Rangat to Lamiya Bay.

Pertaining to the First Part of the Report (*supra*), Mr. Kumar, Learned Special Officer, submits that at several stretches the road condition is *not good at all*. The respective stretches are mentioned in the Report and shall speak for themselves.

Copies of the Report have been already circulated to the other appearing parties, including the NHIDCL (the National Highways Infrastructure Development Corporation Limited) and the Andaman & Nicobar Administration.

With regard to the Second Part of the Report, Mr. Kabir, Learned Special Officer, records that there has been satisfactory progress of the work. However, the work has slowed down due to non-deployment of the limited heavy machinery expeditiously at the sites.

Mr. Sanyal, Learned Counsel appearing for the NHIDCL, submits that the difficulties with regard to obtaining raw-materials, particularly stone aggregates, still persists. The responsibility of easing such difficulties lies with the Andaman and Nicobar Administration (A&N Administration). It is submitted that lastly a communication dated 8th of February, 2023 was

addressed in this respect by the NHIDCL to the Deputy Commissioner, North and Middle Andamans.

The A&N Administration is represented by Mr. Chakraborty, Learned Counsel.

Mr. Chakraborty assures this Court that steps will be taken to remove the difficulties.

Ms. Nag, Learned Counsel, reiterates the position that work can be expedited if the A&N Administration removes the supply bottlenecks relating to raw-materials, particularly stone aggregates.

Having heard the parties and considering the further materials placed, this Court directs the Chief Secretary, A&N Administration, to positively apprise this Court through Learned Counsel on the next date the steps taken to remove the difficulties faced by NHIDCL in obtaining the requisite raw-material supplies, particularly stone aggregates.

The Learned Special Officers shall also apprise this Court of subsequent developments on the next date.

Let the matter be posted next under the same heading **'PIL'** on the **20th of March, 2023 at 2 P.M.**

All parties to act in terms of the copy of the order downloaded from the official website of this Court.

(Rabindranath Samanta,J.) (Subrata Talukdar, J.)