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**CM-37-CWP-PIL-2023 in
CWP-PIL-91-2022****Randeep Tanwar****vs****State of Haryana & others**

Present: Mr. Padamkant Dwivedi, Advocate
for the petitioner.

This is an application filed under Section 151 CPC r/w Article 226 of the Constitution of India for issuance of directions to stop a mob of people from gathering at National Highway-44 (hereinafter referred to as NH-44), at the behest of respondent No.6, Bhartiya Kisan Union (hereinafter referred to as 'Union') and others as the same would be contrary to the interim directions passed by this Court on 23.09.2022.

Learned counsel for the petitioner while drawing the attention of this Court to the order dated 23.09.2022, has submitted that an affidavit of the Chief Secretary, Government of Haryana, dated 25.09.2022, was filed pursuant to directions given by this Court, as a result of which talks were resumed with the leaders of respondent No.6-Union. During their talks, it was agreed upon that respondent No.6-Union would remove the blockade, if the agricultural produce lying in the mandis was protected from the rains. Thereafter, on an assurance given by the Deputy Commissioner, Kurukshetra, respondent No.6-Union had called off the road blockade on NH-44, at Shahabad, leading to normal flow and movement of traffic w.e.f. 24.09.2022. Learned counsel for the petitioner has submitted that however, respondent No.6-Union has once again threatened the administration that in case the purchase of produce of Surajmukhi crop is not initiated at the earliest they would once again resort to blockade of NH-44 and in fact a large mob has been gathering since

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today afternoon at Shahabad. In support, learned counsel has played a video recording of some News Channels wherein it is audible and visible that some leaders of respondent No.6-Union, are asking the administration to divert traffic from NH-44, as they would soon start blocking traffic. Learned counsel further submits that in the circumstances, there is a genuine apprehension that it could lead to serious law and order problems and the situation could get out of hand. It has also been submitted that it is evident that respondent No.6-Union is not adhering to the interim directions issued by this Court on 23.09.2022. A prayer, therefore, has been made for issuance of directions to the official respondents to take necessary steps at the earliest so as to prevent the situation from getting out of hand and turning ugly, more so, since NH-44 connects the country right from Jammu and Kashmir to Kanya Kumari.

Notice in the application.

Mr. Chetan Sharma, DAG, Haryana, who is present in Court, accepts notice on behalf of respondent-State.

Heard learned counsel for the parties and perused the video recording, photographs and other material, which has been placed on record and also brought to the notice of this Court.

In view of the averments made in the application and material on record, this Court deems it appropriate to issue directions to the official respondents to ensure that NH-44, which is the life-line of the country and connects the length and breadth of India, be kept open for free flow and movement of the traffic, without any hindrance, so that the public at

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large, is not put to any kind of inconvenience. This direction shall to be given effect to forthwith, without any further delay. However, at the same time, it is made clear that the administration shall exercise utmost restraint and would use force to disperse the mob collected at the spot, only as a last resort.

Adjourned to 13.06.2023.

Let the Chief Secretary to Government of Haryana submit a report qua the steps taken in pursuance of the above directions alongwith the status report, on the date fixed.

Copy of the order be given dasti under the signatures of Bench Secretary to counsel for the petitioner as well as learned State counsel for information and necessary and immediate compliance.

**(MANJARI NEHRU KAUL)
JUDGE**

06.06.2023
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**(MANISHA BATRA)
JUDGE**