

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

WP(C) PIL No. 30/2019

c/w

PIL No.1/2018

WP(C) PIL No. 13/2022

Intakhab Ahmed Qazi

....Petitioner(s)/Appellant(s)

Through :- Mr. S. S. Ahmed, Advocate.

V/s

State and others

....Respondent(s)

Through :- (inWP(C)PIL No. 13/2022)
Mr. R. S. Jamwal, AAG for R-1 & 5.
Mr. Dewakar Sharma, Dy. AG for R-2,6 & 7.
Mrs. Monika Kohli, Sr. AAG for R-3&4.
Mr. Vishal Sharma, DSGI for R-8 to 10.

**Coram: HON'BLE THE CHIEF JUSTICE (ACTING)
HON'BLE MR. JUSTICE REJESH SEKHRI, JUDGE**

ORDER
20.12.2022

WP(C) PIL No. 13/2022

1. This public interest litigation is registered pursuant to letter dated 17.12.2022 sent by Mr. Asif Iqbal Butt, Social Activist, R/o The Kahara, District Doda (Chenab Valley) drawing our attention towards the increasing cases of road accidents in the hilly terrain of Chenab Valley. The letter raises concerns about government agencies not taking adequate measures both long-term measures and short-term measures to prevent such unfortunate accidents.

2. The issue highlighted in the letter is of serious nature in public interest, accordingly, the following are impleaded as party respondent.

- 1) Union Territory of Jammu & Kashmir
Through Commissioner/Secretary to Govt.,
PW(R&B) Department, Civil Secretariat, Jammu.

- 2) The Commissioner/Secretary to Govt.,
Transport Department, Civil Secretariat, Jammu.
- 3) The Director General of Police, J&K.
- 4) The Inspector General of Police(Traffic), Jammu
- 5) Chief Engineer,
R&B, Jammu
- 6) Assistant Regional Transport Officer, Doda
- 7) Assistant Regional Transport Officer, Kishtwar;
- 8) Project Director,
National Highways & Infrastructure Development Corporation
Limited, Jammu
- 9) Chief Engineer (Project) BEACON, C/o 56 APO
- 10) Chief Engineer (Project) SAMPARK, C/o 56 APO

3. Mr. S. S. Ahmed, learned counsel apprised us that a PIL i.e. WP(C) PIL No. 30/2019 titled 'Intakhab Ahmed Qazi, v. State and others' raises the issue with regard to Mughal Road and he is assisting the court in aforesaid PIL.

4. Be that as it may, Sh. S. S. Ahmed is appointed as Amicus Curiae in this petition as well.

5. It is also brought to the notice of this court by Mr. S. S. Ahmed, learned Amicus that in a road mishap occurred today morning, three people are feared dead as an ill-fated vehicle (Car) plunged into the river Chenab in the Gaddoo area of Doda.

6. Issue notice to the respondents.

7. Notice is accepted by Mr. R. S. Jamwal, learned AAG for respondents 1 & 5. Mrs. Monika Kohli, learned Sr. AAG accepts notice on behalf of respondents 3 and 4; Mr. Dewakar Sharma, learned Dy. AG accepts notice on behalf of respondents 2,6&7; and Mr. Vishal Sharma, DSGI accepts notice on behalf of respondents 8 to 10.

8. At this stage, the following directions are issued:
- (i) We direct the respondents 1 and 2 to constitute a Committee of Experts which shall ascertain the reasons for repeated road accidents on Batote-Doda-Kishtwar Road. The Committee shall suggest measures which help to make the road accident-free.
 - (ii) A further direction is issued to respondents 1, 9 and 10 to erect rolling barriers/steel pillars on curved roads, also wherever culverts are found through Batote-Doda-Kishtwar road.
 - (iii) The aforesaid respondents against whom the directions are being issued shall file the Action Taken Report by or before the next date of hearing.
9. List this petition along with WP(C) PIL No. 30/2019 & PIL No.1/2018 on 01.02.2023.
10. Registry is directed to supply complete paper of this petition as well as copy of this order to the learned counsel for the respondents as also the learned Amicus.

(Rajesh Sekhri)
Judge

(Tashi Rabstan)
Chief Justice (Acting)

Jammu:
20.12.2022
Raj Kumar