

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE VIVEK RUSIA

&

HON'BLE SHRI JUSTICE ANIL VERMA

ON THE 5th OF FEBRUARY, 2024

WRIT PETITION No. 21642 of 2023

BETWEEN:-

RISHABH GUPTA S/O ARVIND GUPTA, AGED ABOUT 28
YEARS, OCCUPATION: ADVOCATE R/O 104 GOYAL
VIHAR INDORE (MADHYA PRADESH)

.....PETITIONER

AND

1. THE STATE OF MADHYA PRADESH SECRETARY
VALLABH BHAWAN BHOPAL (MADHYA PRADESH)
2. DISTRICT COLLECTOR . DISTRICT DHAR
(MADHYA PRADESH)
3. THE CEO ZILA PANCHAYAT DISTRICT DHAR
(MADHYA PRADESH)

.....RESPONDENTS

(BY SHRI BHUWAN GAUTAM- GOVERNMENT ADVOCATE)

.....
*This petition coming on for orders this day, Justice Vivek Rusia
passed the following:*

ORDER

Shri Rishabh Gupta/ petitioner is present in person.

The petitioner has filed the present Writ Petition in the nature of Public Interest Litigation based on the news published in the Indian Express Web Portal on 08.08.2023 exposing that the Tribal Children in Dhar District are

forced to swim across a river to attend the School.

[2] According to the petitioner, he visited the Villages and found that there are 30 students studying in the Middle School belong to different nearby villages comes from the 'Bheel' Community' are required to cross the Koteswari River daily to attend the School. The alternate road connecting the school from their Villages is 10-12 kilometers long, therefore, the construction of bridge or culvert is necessary. According to the petitioner till date no concrete steps has been taken by the respondents in this regard, hence, present Writ Petition before this Court.

[3] Earlier the Chief Executive Officer, Jila Panchayat, Dhar sent proposal some time in the year 2011 to the Panchayat and Rural Development Department for construction of culvert on the said River but nothing has been done till date.

[4] After issuance of notice, the respondents filed reply by submitting that the Rural Engineering Services Department, Dhar taking into consideration the legitimate demand raised with regard to construction of a bridge on the Koteswari River, is prepared a proposal and sent to Rural Engineering Services Department for construction of said bridge with an estimated cost of the proposed Rs.108.13 Lac. The said proposal has been forwarded by the Executive Engineer, Rural Engineering Services, Dhar to the Chief Executive Officer, Jila Panchayat Dhar. The bridge will be constructed under the MGNREGA stands for Mahatma Gandhi National Rural Employment Guarantee Act after following the due process. The respondents have also assured that the necessary action in the matter be taken in due priority.

[5] It is clear from the aforesaid return that the respondents are not opposing the construction of bridge on the Koteswari River. A proposal has

been sent to the concerned Department for approval. This Court hopes and trust that this will not remain in the note-sheet for years to come and same be given logical end. Construction of bridge is important not only for villagers but students also whether Rural Engineering Services Department, Panchayat and Rural Development Department or Public Works Department construct the same. It is for the Government to sanction the amount and direct the concerned Department.

[6] In view of above, Writ Petition is disposed of with direction to the respondents to consider the proposal and report sent for construction the Slab Culvert on Koteshwari River and take final decision within a period of 90 days from today. The Panchayat and Rural Development Department for construction of the bridge/culvert may take necessary technical assistance from the Bridge Division of M.P. Public Works Department.

Let copy of this order be supplied to all concerned Department through electronic mode.

Certified copy as per rules. जयते

(VIVEK RUSIA)
JUDGE

Praveen

(ANIL VERMA)
JUDGE