

ITEM NO.12

COURT NO.1

SECTION XII-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (C) No. 15080/2019

[Arising out of impugned final judgment and order dated 29-01-2019 in WPIL No. 303/2017 passed by the High Court of Andhra Pradesh at Amravati]

**THE GENERAL MANAGER NATIONAL HIGHWAYS
AUTHORITY OF INDIA & ANR.**

Petitioner(s)

VERSUS

**THE GAJUWAKA BAR ASSOCIATION GAJUWAKA
VISAKHAPATNAM & ORS.**

Respondent(s)

(IA No. 76494/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 89238/2023 - INTERVENTION/IMPLEADMENT, IA No. 113072/2023 - INTERVENTION/IMPLEADMENT and IA No. 113073/2023 - VACATING STAY)

Date : 18-12-2024 This matter was called on for hearing today.

CORAM :

**HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJAY KUMAR**

For Petitioner(s)

Mr. Santosh Kumar - I, AOR

For Respondent(s)

**Mr. Akshay Mann, Adv.
Mr. P. Santhosh Kumar, Adv.
Mr. Sravan Kumar Karanam, AOR**

Mr. N. Rajaraman, AOR

**Mr. Akshay Mann, Adv.
Mr. P. Santhosh Kumar, Adv.
Mr. Sravan Kumar Karanam, AOR**

**Ms. Goli Rama Krishna, Adv.
Mr. Anand Dilip Landge, AOR**

**UPON hearing the counsel, the Court made the following
O R D E R**

Our attention is drawn to the National Highways Fee

(Determination of Rates and Collection) Rules, 2008,¹ published *vide* Notification No. G.S.R. 838(E) File No. RW/NH-25016/1/2008/P&P dated 05.12.2008 issued by the Ministry of Shipping, Road Transport and Highways². The question would be whether the toll plaza in question would be covered by the second proviso to Rule 8 of the 2008 Rules.

Let the MoRTH file an affidavit in this regard, stating whether the toll plaza in question is covered by the second proviso and whether, pursuant to the said proviso, Notification No. S.O. 3113(E) F.No. NH-14012/7/2022-P&M dated 07.07.2022 has been issued.

A copy of this order will be sent to the Secretary, MoRTH, who shall file the affidavit, after ascertaining the full facts, within a period of three weeks from the date of receipt of a copy of this order.

Re-list in the week commencing 03.02.2025.

(DEEPAK GUGLANI)
AR-cum-PS

(R.S. NARAYANAN)
ASSISTANT REGISTRAR

1 “2008 Rules”, for short

2 Nomenclature of the Ministry now is Ministry of Road Transport and Highways, “MoRTH”, for short