



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF JUNE, 2026

PRESENT

THE HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

THE HON'BLE MR. JUSTICE VENKATESH NAIK T

COMMERCIAL APPEAL NO.411 OF 2024

BETWEEN:

NATIONAL HIGHWAYS AUTHORITY OF INDIA
PROJECT IMPLEMENTATION UNIT MANGALORE
DOOR NO.3-29, "BETHEL"
THARETHOTA, NEAR PUMPWELL (NH-66)
MANGALORE-575 002.
REPRESENTED BY ITS
THE PROJECT DIRECTOR
ABDULLA JAVED AZMI.

...APPELLANT

(BY SRI PRAKASHA ANGADI B.V., ADVOCATE)

AND:

1. SRI V.A. HAMEED
S/O. V. ABDUL KHADER
RESIDING AT NAUFAL BAGH
ULLALA
MANGALURU TALUK-575 020.
2. THE ARBITRATOR AND DEPUTY COMMISSIONER
D.K. DISTRICT
MANGALORE-575 001.
3. THE SPECIAL LAND ACQUISITION OFFICER
AND COMPETENT AUTHORITY, NHAI
N.G.O.S BUILDING
MINI VIDHANA SOUDHA COMPOUND
MANGALURU-575 001.

...RESPONDENTS

(RESPONDENT IS SERVED AND UNREPRESENTED)

Digitally
signed by
RAKSHA
Location:
High Court
of
Karnataka



THIS COMMERCIAL APPEAL IS FILED UNDER SECTION 13(1) (a) OF COMMERCIAL COURT ACT, PRAYING TO SET ASIDE THE JUDGMENT DATED 02.01.2024 IN THE SUIT A.P NO.49 OF 2023 PASSED BY THE HON'BLE IV ADDITIONAL DISTRICT JUDGE AND COMMERCIAL COURT, D.K. DISTRICT, MANGALORE, CONSEQUENTLY SET ASIDE THE ARBITRAL AWARD/ORDER IN NO.C.DIS.ARB(2)NH.LAQ.CR-THE ENHANCEMENT MADE BY THE 2ND RESPONDENT AT THE RATE OF RS.1,79,200/- PER CENT AND ALLOW THE APPEAL WITH COST AND GRANT SUCH OF THE RELIEF AS THIS HON'BLE COURT DEEMS FIT TO GRANT IN THE CIRCUMSTANCES OF THIS CASE, IN THE INTEREST OF JUSTICE.

THIS COMMERCIAL APPEAL, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MRS. JUSTICE ANU SIVARAMAN
and
HON'BLE MR. JUSTICE VENKATESH NAIK T

ORAL JUDGMENT

(PER: HON'BLE MRS. JUSTICE ANU SIVARAMAN)

Learned counsel for the appellant submits that the authority has decided to withdraw the appeal and that a memo for withdrawal dated 09.06.2026 has also been placed on record. The memo reads as follows:

The above appeal filed challenging the Judgment dt:02.01.2024 passed by the Hon'ble District Court, Mangalore in A.P 49/2023 in which the arbitral award bearing No.C.DIS.ARB(2)NH/LAQ.CR.13/2019-20 Dt:27.12.2022 was confirmed.



It is submitted that, in view of the approval of the Competent Authority for implementation of the Arbitral Award, the Appellant prays this Hon'ble Court be pleased to permit the Appellant to withdraw the above case.

WHEREFORE, the Appellant seeks leave of this Hon'ble Court to withdraw the above case, in the interest of justice.

Accordingly, the memo is accepted. The appeal is

dismissed as withdrawn.

All pending interlocutory applications shall stand disposed of.

**Sd/-
(ANU SIVARAMAN)
JUDGE**

**Sd/-
(VENKATESH NAIK T)
JUDGE**