

**BHIM SINGH AND ANOTHER Versus UNION OF
INDIA AND OTHERS**

**CMP-4367 of 2026
in CWP-573 of 2019**

09.10.2026 Present: Mr. Sudhir Thakur, Senior Advocate with Mr. Karun Negi, Advocate, for the applicants/petitioners.

Mr. Balram Sharma, DSGI, for respondent No.1.

Ms. Shreya Chauhan, Advocate, for respondent No.2.

Mr. Rajan Kahol & Mr. Vishal Panwar, Additional Advocates General with Mr. Ravi Chauhan & Mr. Anish Banshtu, Deputy Advocates General, for respondents No.3 & 4-State.

By way of instant application, prayer has been made on behalf of the applicants/petitioners for release of the amount lying deposited in the Registry of this Court.

Reply to the application stands filed on behalf of respondents No. 1 & 2.

Precisely, the facts of the case, as emerge from the pleadings as well as other material adduced on record by the respective parties, are that applicants/petitioners, by way of CWP No. 573 of 2019, claimed the following reliefs:

“i) Directing the respondent No. 3 to pay the entire compensation as per Award No. 21/2, more particularly, Annexure-P-1 appended with the award, to the petitioners. Further, respondent No. 3 is to be directed to pass the award with respect to the land over which the structures are situated.

ii) Further, the respondents are to be restrained from taking forcible possession of the land and structure on

the spot till the entire compensation and award is not passed with respect to the land of the petitioner.

iii) Directing the respondents to pay the entire compensation and thereafter to accord a period of 60 days to vacate the premises to petitioner as per Section 3(h) of the Act.”

Since, during the course of arguments, it transpired that both the parties had approached learned Arbitrator under Section 3G(5) of the National Highways Act, 1956, this Court refused to interfere and disposed of the petition, reserving liberty to both the parties to take all pleas available to them before the Arbitrator, who was to assess the amount of compensation in accordance with law.

Now, since learned Arbitrator, pursuant to the aforesaid order passed by this Court, has dismissed the arbitration case of both the parties and directed release of the amount, applicants/petitioners have approached this Court by way of the instant application for release of the amount lying deposited in the Registry of this Court.

Prayer made on behalf of the applicants/petitioners have been refuted by the National Highways Authority on the ground that it has filed objections under Section 34 of the Arbitration and Conciliation Act against the order passed by learned Arbitrator before the competent court of law and in the event of the objections being allowed, it may be difficult to recover the amount.

Sh. Sudhir Thakur, learned Senior Advocate representing the applicants/petitioners, on instructions, states that applicants/petitioners are ready to furnish a bank guarantee of an equal amount to the satisfaction of the Registrar General of this Court.

Ms. Shreya Chauhan, learned counsel representing NHAI, fairly states that in case a bank guarantee is furnished, she shall have no objection to release of the amount.

Consequently, in view of the above, the present application is allowed and the Registry is directed to release the award amount lying deposited in the Registry of this Court in favour of the applicants/petitioners in equal shares by remitting the same to their respective bank accounts, details whereof shall be furnished within a period of one week.

Needless to say, amount, as has been ordered to be released, shall not be released till the time bank guarantee of equal amount is furnished to the satisfaction of Registrar General.

**(Sandeep Sharma),
Judge**

October 09, 2026
(Sunil)