

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

93 WRIT PETITION NO.9868 OF 2018

NILESH PRAKASH MEHATA
VERSUS
NATIONAL HIGHWAY AUTHORITY OF INDIA
THROUGH GENERAL MANAGER

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Mr.M.V.Salunke, Advocate for the petitioner.
Mr.M.V.Kini & D.S.Manorkar, Advocate for
respondent.

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**CORAM: S.S.SHINDE &
K.K.SONAWANE,JJ.**

DATE : 17.12.2018

ORDER:

1] Learned counsel appearing for respondent, on instruction, states that, the respondent has approached the District Court under Section 34 of the Arbitration & Conciliation Act, 1996. It is further contended that, in view of presentation of the application under Section 34 of the Arbitration & Conciliation Act, 1996, respondent is not required to deposit the amount, as filing of the application would operate as stay to the execution of the Award.

2] At the same time, the respondent is bound to comply with the provisions of Section 3 H (6) of the National Highway Act,

1956 in respect of deposit of the amount of compensation. If the amount is not deposited, the same shall be deposited by the respondent before the competent authority, as expeditiously possible and preferably within a period of eight weeks from today.

3] The petitioner will be at liberty to make a request as regards withdrawal of the amount before the competent authority / District Judge, by presenting appropriate proceedings.

4] In view of above, Writ Petition is disposed of.

5] No costs.

[K.K.SONAWANE]
JUDGE

[S.S.SHINDE]
JUDGE