

\$~2 to 16

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

%

Date of Decision: 12.10.2018

+ **ARB.P. 589/2018**

ASHISH GREWAL & ORS.

..... Petitioners

Through Mr. Uttam Datt and Mr. Tarun
Sharma, Advs.

versus

UNION OF INDIA & ANR.

..... Respondents

Through Mr. Mahender Kr. Bhardwaj and
Ms.Vinita Kumar Ashutosh, Advs. for
R-1.
Ms. Kritika Shukla, Adv for NHAI.

+ **ARB.P. 590/2018 & I.A. No.10817/2018**

SATINDER SINGH GREWAL

..... Petitioner

Through Mr. Uttam Datt and Mr. Tarun
Sharma, Advs.

versus

UNION OF INDIA & ANR.

..... Respondents

Through Mr. Anil Soni, CGSC with
Mr.Abhinav Tyagi and Ms. Priyanka
Singh, Advs.
Ms. Kritika Shukla, Adv for NHAI.

+ **ARB.P. 591/2018 & I.A. No.10818/2018**

SURENDER RANA

..... Petitioner

Through Mr. Uttam Datt and Mr. Tarun
Sharma, Advs.

versus

UNION OF INDIA & ANR.

..... Respondents

- Through Mr. Mahender Kr. Bhardwaj and
Ms.Vinita Kumar Ashutosh, Advs. for
R-1.
Ms. Kritika Shukla, Adv for NHAI.
- + **ARB.P. 596/2018**
SATPRAKASH RANA
- Petitioner
Through Mr. Uttam Datt and Mr. Tarun
Sharma, Advs.
- versus
UNION OF INDIA & ANR.
- Respondents
Through Mr. Mahender Kr. Bhardwaj and
Ms.Vinita Kumar Ashutosh, Advs. for
R-1.
Ms. Kritika Shukla, Adv for NHAI.
- + **ARB.P. 636/2018**
SURENDER SINGH & ANR.
- Petitioners
Through Mr. Uttam Datt and Mr. Tarun
Sharma, Advs.
- versus
UNION OF INDIA & ANR.
- Respondents
Through Mr. Ajay Digpaul, CGSC with
Mr.Jitendra Kr. Tripathi, CGP and
Mr. Vipul Agrawal, Adv. for UOI.
Ms. Kritika Shukla, Adv for NHAI.
- + **ARB.P. 637/2018**
SURENDER BHATIA & ORS.
- Petitioners
Through Mr. Uttam Datt and Mr. Tarun
Sharma, Advs.
- versus

UNION OF INDIA & ANR.

Through

..... Respondents
Mr. Jitendra Kr. Tripathi, CGP and
Mr. Vipul Agrawal, Adv. for UOI.
Ms. Kritika Shukla, Adv for NHAI.

+ **ARB.P. 638/2018**

SAROJ DEVI & ORS.

Through

..... Petitioners
Mr. Uttam Datt and Mr. Tarun
Sharma, Advs.

versus

UNION OF INDIA & ANR.

Through

..... Respondents
Mr. Anil Soni, CGSC with
Mr. Abhinav Tyagi and Ms. Priyanka
Singh, Advs.
Ms. Kritika Shukla, Adv for NHAI.

+ **ARB.P. 639/2018**

SAROJ & ORS.

Through

..... Petitioners
Mr. Uttam Datt and Mr. Tarun
Sharma, Advs.

versus

UNION OF INDIA & ANR.

Through

..... Respondents
Ms. Kritika Shukla, Adv for NHAI.

+ **ARB.P. 640/2018**

DURGESH RANA & ANR.

Through

..... Petitioners
Mr. Uttam Datt and Mr. Tarun
Sharma, Advs.

versus

UNION OF INDIA & ANR.

Through Respondents
Mr. Anil Soni, CGSC with
Mr. Abhinav Tyagi and Ms. Priyanka
Singh, Advs.
Ms. Kritika Shukla, Adv for NHAI.

+ **ARB.P. 641/2018**

NAVEEN GREWAL & ANR.

Through Petitioners
Mr. Uttam Datt and Mr. Tarun
Sharma, Advs.

versus

UNION OF INDIA & ANR.

Through Respondents
Mr. Mahender Kr. Bhardwaj and
Ms. Vinita Kumar Ashutosh, Advs. for
R-1.
Ms. Kritika Shukla, Adv for NHAI.

+ **ARB.P. 642/2018**

VIRENDRA SINGH & ORS.

Through Petitioners
Mr. Uttam Datt and Mr. Tarun
Sharma, Advs.

versus

UNION OF INDIA & ANR.

Through Respondents
Mr. Vinod Diwakar, CGSC with Ms.
Kashish Bajaj, Adv for R-1.
Ms. Kritika Shukla, Adv for NHAI.

+ **ARB.P. 643/2018**

AMARJEET RANA

Through Petitioner
Mr. Uttam Datt and Mr. Tarun

		Sharma, Advs.
	versus	
	UNION OF INDIA & ANR.	
	Through	 Respondents Mr. Vinod Diwakar, CGSC with Ms. Kashish Bajaj, Adv for R-1. Ms. Kritika Shukla, Adv for NHAI.
+	ARB.P. 644/2018	
	BALWAN SINGH	
	Through	 Petitioner Mr. Uttam Datt and Mr. Tarun Sharma, Advs.
	versus	
	UNION OF INDIA & ANR.	
	Through	 Respondents Ms. Kritika Shukla, Adv for NHAI.
+	ARB.P. 645/2018	
	ASHOK KUMAR	
	Through	 Petitioner Mr. Uttam Datt and Mr. Tarun Sharma, Advs.
	versus	
	UNION OF INDIA & ANR.	
	Through	 Respondents Mr. Vinod Diwakar, CGSC with Ms. Kashish Bajaj, Adv for R-1. Ms. Kritika Shukla, Adv for NHAI.
+	ARB.P. 646/2018	
	RAJPAL SINGH	
	Through	 Petitioner Mr. Uttam Datt and Mr. Tarun

Sharma, Advs.
versus
UNION OF INDIA & ANR.

..... Respondents

Through Mr. Vinod Diwakar, CGSC with Ms.
Kashish Bajaj, Adv for R-1.
Ms. Kritika Shukla, Adv for NHAI.

CORAM:
HON'BLE MR. JUSTICE RAJIV SHAKDHER

RAJIV SHAKDHER, J. (ORAL)

1 These are petitions in which recourse has been taken to Section 11 of the Arbitration and Conciliation Act, 1996 (in short '1996 Act'). The petitioners claim that despite notice having been issued to the respondents, there has been no movement in the matter.

2 Learned counsel for the respondents, on the other hand, says that in view of the provisions of Section 3G of the National Highways Act, 1956 being in operation, the captioned petitions are not maintainable. According to the learned counsel for the respondents, this aspect of the matter stands concluded by the judgment of the Supreme Court in the matter of: ***General Manager (Project), National Highways and Infrastructure Development Corporation Ltd. Vs. Prakash Chand Pradhan & Ors.***, Civil Appeal No.5250 of 2018, dated 16.05.2018. Furthermore, attention has also been drawn to the order passed by this Court on 17.09.2018 in a batch of petitions; the lead petition being Arb. P. No.696/2018.

3 The respondents, in my view, are right and, therefore, these

petitions are dismissed with liberty to the petitioners to take recourse to an appropriate remedy as may be available to them in law.

4 Accompanying applications shall, accordingly, stand closed.

RAJIV SHAKDHER, J

OCTOBER 12, 2018

A

