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

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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, Adv. for  
R-1.  
Ms. Kritika Shukla, Adv for NHAI.
- + **ARB.P. 596/2018**  
SATPRAKASH RANA
- ..... Petitioner  
Through Mr. Uttam Datt and Mr. Tarun  
Sharma, Adv.
- versus  
UNION OF INDIA & ANR.
- ..... Respondents  
Through Mr. Mahender Kr. Bhardwaj and  
Ms.Vinita Kumar Ashutosh, Adv. 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, Adv.
- 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, Adv.
- 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.  |                                                                                                      |
|          |                        | ..... Respondents                                                                                    |
|          | Through                | Mr. Vinod Diwakar, CGSC with Ms.<br>Kashish Bajaj, Adv for R-1.<br>Ms. Kritika Shukla, Adv for NHAI. |
| <b>+</b> | <b>ARB.P. 644/2018</b> |                                                                                                      |
|          | BALWAN SINGH           |                                                                                                      |
|          |                        | ..... Petitioner                                                                                     |
|          | Through                | Mr. Uttam Datt and Mr. Tarun<br>Sharma, Advs.                                                        |
|          | versus                 |                                                                                                      |
|          | UNION OF INDIA & ANR.  |                                                                                                      |
|          |                        | ..... Respondents                                                                                    |
|          | Through                | Ms. Kritika Shukla, Adv for NHAI.                                                                    |
| <b>+</b> | <b>ARB.P. 645/2018</b> |                                                                                                      |
|          | ASHOK KUMAR            |                                                                                                      |
|          |                        | ..... Petitioner                                                                                     |
|          | Through                | Mr. Uttam Datt and Mr. Tarun<br>Sharma, Advs.                                                        |
|          | versus                 |                                                                                                      |
|          | UNION OF INDIA & ANR.  |                                                                                                      |
|          |                        | ..... Respondents                                                                                    |
|          | Through                | Mr. Vinod Diwakar, CGSC with Ms.<br>Kashish Bajaj, Adv for R-1.<br>Ms. Kritika Shukla, Adv for NHAI. |
| <b>+</b> | <b>ARB.P. 646/2018</b> |                                                                                                      |
|          | RAJPAL SINGH           |                                                                                                      |
|          |                        | ..... Petitioner                                                                                     |
|          | Through                | 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**

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