

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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CWP No. 17815-2021

Date of decision: 8th May, 2023

Fateh Singh

Petitioner

Versus

Union of India and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr.Vishal Aggarwal, Advocate for the petitioner.

Mr. R.S.Madan, Advocate for the respondents.

AVNEESH JHINGAN, J (Oral):

1. This writ petition in the nature of Mandamus is filed seeking directions to Union of India (UOI)/National Highways Authority of India (NHAI) to deposit compensation as determined vide arbitral award dated 9.5.2019.
2. The admitted fact is that the objections filed by both the parties under Section 34 of the Arbitration and Conciliation Act, 1996 (for short 'the 1996 Act') are pending and the execution is not proceeding further.
3. Learned counsel for the petitioner restricts his prayer at this stage that respondents be directed to deposit the awarded amount with the Executing Court and same may not be released to the petitioner till the objections under Section 34 of 1996 Act are decided.
4. Learned counsel for the respondents on instructions submits that awarded amount shall be deposited within six weeks from today. He contends that a joint request would be made before the Court concerned for

expeditious disposal of objections under Section 34 of the 1996 Act. He further submits that after objections under Section 34 of the Act are decided, the amount may not be released to the petitioners for 90 days thereafter, to enable them to avail remedy in case of grievance still survives.

5. Petition is disposed of. Let the awarded amount be deposited with the Executing Court within six weeks from today. The amount deposited be kept in FDR in nationalized bank and shall not be released to the petitioner till expiry of 90 days from the decision of objections under Section 34 of the 1996 Act.

6. Needless to say that the petitioner would be at liberty to avail remedies in accordance with law for redressal of surviving grievance, if any.

7. There is no doubt that in case prayer is made before the Court concerned for expeditious disposal of objections under Section 34 of the Act, the same would be considered in accordance with law.

8. Since the main case has been disposed of, the pending application(s), if any is rendered infructuous.

[AVNEESH JHINGAN]
JUDGE

8th May, 2023
anuradha

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No