

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

- (1)

Date of decision: 18<sup>th</sup> April, 2023

CR No.4939 of 2022 (O&M)

National Highways Authority of India

Petitioner

Versus

Jasvinder Singh and others

Respondents
- (2)

CR No.4940 of 2022 (O&M)

National Highways Authority of India

Petitioner

Versus

Gurdishpal Singh and others

Respondents
- (3)

CR No.4941 of 2022 (O&M)

National Highways Authority of India

Petitioner

Versus

Vijay Kumar and others

Respondents
- (4)

CR No.4942 of 2022 (O&M)

National Highways Authority of India

Petitioner

Versus

Dhirinder Singh and others

Respondents
- (5)

CR No.4943 of 2022 (O&M)

National Highways Authority of India

Petitioner

Versus

Jai Parkash Gairola and others

Respondents
- (6)

CR No.4945 of 2022 (O&M)

National Highways Authority of India

Petitioner

|                                      |                          |             |
|--------------------------------------|--------------------------|-------------|
|                                      | Versus                   |             |
| Randhir Shahi and others             |                          | Respondents |
| (7)                                  | CR No.4946 of 2022 (O&M) |             |
| National Highways Authority of India |                          | Petitioner  |
|                                      | Versus                   |             |
| Hardeep Singh and others             |                          | Respondents |
| (8)                                  | CR No.4947 of 2022 (O&M) |             |
| National Highways Authority of India |                          | Petitioner  |
|                                      | Versus                   |             |
| Lakhwinder Singh and others          |                          | Respondents |
| (9)                                  | CR No.4948 of 2022 (O&M) |             |
| National Highways Authority of India |                          | Petitioner  |
|                                      | Versus                   |             |
| Siopal Singh and others              |                          | Respondents |
| (10)                                 | CR No.4949 of 2022 (O&M) |             |
| National Highways Authority of India |                          | Petitioner  |
|                                      | Versus                   |             |
| Naresh Kumar and others              |                          | Respondents |
| (11)                                 | CR No.4951 of 2022 (O&M) |             |
| National Highways Authority of India |                          | Petitioner  |
|                                      | Versus                   |             |
| Balvir Singh and others              |                          | Respondents |
| (12)                                 | CR No.4952 of 2022 (O&M) |             |

National Highways Authority of India

Petitioner

Versus

Kanwarjit Singh and others

Respondents

(13)

CR No.4960 of 2022 (O&M)

National Highways Authority of India

Petitioner

Versus

Nachhtar Kaur @ Jagjit Kaur and others

Respondents

(14)

CR No.4962 of 2022 (O&M)

National Highways Authority of India

Petitioner

Versus

Lalit Kumar and others

Respondents

(15)

CR No.4965 of 2022 (O&M)

National Highways Authority of India

Petitioner

Versus

Gajjan Singh and others

Respondents

(16)

CR No.4966 of 2022 (O&M)

National Highways Authority of India

Petitioner

Versus

Harish Kumar and others

Respondents

(17)

CR No.4971 of 2022 (O&M)

National Highways Authority of India

Petitioner

Versus

Shiv Kumar Jalan and others

Respondents

(18)

CR No.4972 of 2022 (O&M)

National Highways Authority of India

Petitioner

Versus

Gagandeep Singh Bedi and others

Respondents

(19)

CR No.5009 of 2022 (O&M)

National Highways Authority of India

Petitioner

Versus

Santokh Singh and others

Respondents

(20)

CR No.5011 of 2022 (O&M)

National Highways Authority of India

Petitioner

Versus

Jagdish Kaur Chauhan and others

Respondents

(21)

CR No.5013 of 2022 (O&M)

National Highways Authority of India

Petitioner

Versus

Ritu Jindal and others

Respondents

(22)

CR No.5014 of 2022 (O&M)

National Highways Authority of India

Petitioner

Versus

Sanjay Ahuja and others

Respondents

(23)

CR No.5015 of 2022 (O&M)

National Highways Authority of India

Petitioner

Versus

M/s Path Colonizer Pvt. Ltd. and others

Respondents

(24)

CR No.5019 of 2022 (O&M)

National Highways Authority of India

Petitioner

Versus

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|----------------------------------------------------|--------------------------|-------------------------|
| <u>CR No. 4939 of 2022 &amp; connected matters</u> |                          | 2023:PHHC:054076<br>[5] |
| Grover Auto Mobiles and others                     |                          | Respondents             |
| (25)                                               | CR No.5020 of 2022 (O&M) |                         |
| National Highways Authority of India               |                          | Petitioner              |
| Versus                                             |                          |                         |
| Harbans Singh and others                           |                          | Respondents             |
| (26)                                               | CR No.5021 of 2022 (O&M) |                         |
| National Highways Authority of India               |                          | Petitioner              |
| Versus                                             |                          |                         |
| Harbhajan Singh and others                         |                          | Respondents             |
| (27)                                               | CR No.5022 of 2022 (O&M) |                         |
| National Highways Authority of India               |                          | Petitioner              |
| Versus                                             |                          |                         |
| Malook Singh and others                            |                          | Respondents             |
| (28)                                               | CR No.5026 of 2022 (O&M) |                         |
| National Highways Authority of India               |                          | Petitioner              |
| Versus                                             |                          |                         |
| Raj Kamal Singh and others                         |                          | Respondents             |
| (29)                                               | CR No.5032 of 2022 (O&M) |                         |
| National Highways Authority of India               |                          | Petitioner              |
| Versus                                             |                          |                         |
| Gurinderpal Singh and others                       |                          | Respondents             |
| (30)                                               | CR No.5029 of 2022 (O&M) |                         |
| National Highways Authority of India               |                          | Petitioner              |
| Versus                                             |                          |                         |
| Rakesh Ahuja and others                            |                          | Respondents             |

- (31)

CR No.5367 of 2022 (O&M)

National Highways Authority of India

Petitioner

Versus

Jagmail Singh and others

Respondents
- (32)

CR No.5372 of 2022 (O&M)

National Highways Authority of India

Petitioner

Versus

Harmail Singh and others

Respondents
- (33)

CR No.5373 of 2022 (O&M)

National Highways Authority of India

Petitioner

Versus

Darshan Singh and others

Respondents
- (34)

CR No.5377 of 2022 (O&M)

National Highways Authority of India

Petitioner

Versus

Makhan Singh and others

Respondents
- (35)

CR No.5378 of 2022 (O&M)

National Highways Authority of India

Petitioner

Versus

Gurdeep Kaur and others

Respondents
- (36)

CR No.5379 of 2022 (O&M)

National Highways Authority of India

Petitioner

Versus

Rani and others

Respondents
- (37)

CR No.5409 of 2022 (O&M)

National Highways Authority of India

# Petitioner

## Respondents

# Petitioner

## Respondents

# Petitioner

## Respondents

# Petitioner

## Respondents

**CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN**

Present: Mr. Ankush Chaudhary, Advocate for  
Mr. Satyaveer Singh, Advocate for the petitioner(s).

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**AVNEESH JHINGAN, J (Oral):**

1. This order shall dispose of the above mentioned petitions as the facts and issues involved therein are common.
2. However, for the sake of convenience, the facts are being taken from CR No. 4939 of 2022.
3. The present petition is filed aggrieved of the order passed by Additional District Judge disposing of the application under Section 36 of the Arbitration and Conciliation Act, 1996 (for short, 'the 1996 Act').

4. The relevant facts are that land of respondent No. 1 (hereinafter referred to as 'the respondent') was acquired under the National Highways Act, 1956. The arbitration proceedings initiated at the instance of the respondent culminated in award dated 8.8.2019. The petitioner filed objections under Section 34 of the 1996 Act along with application under Section 36(2) of the 1996 Act. The application was disposed of on 27.7.2022. Operation of the award was stayed till the disposal of objections under Section 34 of the 1996 Act, subject to deposit of the enhanced awarded amount along with requisite interest within a period of four months. It was further ordered that the amount deposited shall be kept in FDR and not released to the land-owner till the disposal of objections under Section 34 of the 1996 Act.
5. Learned counsel for the petitioner submits that objections under Section 34 of the 1996 Act are fixed for arguments on 18.4.2023.
6. The impugned order was passed balancing the equity between the parties. The enhanced amount awarded has been secured by directing the petitioner to make the deposit within four months and further it has been ordered that the amount shall not be released to the land owner.
7. Considering that the order is in consonance with the principles for staying the money decree, no interference is called for.
8. The petitions are dismissed.
9. However, the time granted vide impugned order is extended by three months from today.
10. There is no doubt that in the eventuality of parties making a request before the court concerned for expeditious disposal of the objections under Section 34 of the 1996 Act, the same would be considered in accordance with law.

**[AVNEESH JHINGAN]**  
**JUDGE**

**18<sup>th</sup> April, 2023**  
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|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable         | : | Yes / No |