



8IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

ARBITRATION APPEAL NO.196 OF 2025

NHAI Vs. Rasilaben A. Pobaru and ors.

*Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order*

Court's or Judge's Order

Mr. A. A. Kathane, Advocate for appellant.
Mr. A. B. Nakshane, Advocate for respondent Nos.1 to 4.

CORAM : ROHIT W. JOSHI, J.

DATE : 17.03.2026.

CIVIL APPLICATION NOS.247 OF 2025 AND 43 OF 2026

1. Civil Application No.247 of 2025 is filed, seeking stay of execution of the impugned award. Vide order dated 24.11.2025, ad-interim order was granted without imposing any condition of deposit in view of Rule 3(b) of the National Highways (Manner of Depositing the Amount by the Central Government; Making Requisite Funds Available to the Competent Authority for Acquisition of Land) Rules, 2019.

2. Civil Application No.43 of 2026 is filed for modification of the order dated 24.11.2025 passed by this Court granting unconditional stay.

3. The said Rule is interpreted by this Court vide order dated 10.03.2026 in Arbitration Appeal No.53 of 2026. It is held that the said Rule does not impose any fetter on the discretion of this Court to insist on deposit of amount as a condition for grant of stay to execution of arbitral award.

4. Learned advocates inform that in appeals arising out of the same notification and relating to the same village, this Court has granted stay to execution of arbitral award on condition of deposit of 50% of the amount of compensation as awarded by the Arbitral Tribunal.

5. In view of the aforesaid, execution of the impugned arbitral award is stayed, subject to condition that 50% of the amount of compensation as determined by the Arbitral Tribunal is deposited with this Court alongwith accrued interest on or before **20.05.2026**.

6. Civil Applications are **disposed of**.

(ROHIT W. JOSHI, J.)

Ταπηγ...