The Highway Administrator & Project Director, PIU, Gutkar vs. Duglu Ram & others

OMP(M) No. 648 of 2026

02.11.2026 **Present:** Mr. Santosh Kumar, Advocate, vice counsel, for the applicant.

Mr. Baldev Singh Negi, Additional Advocate General, for respondents No.2 and 3.

OMP(M) No. 648 of 2026

The instant application has been filed for condonation of delay in filing the appeal.

It has been stated in the application that the impugned order was passed by the learned District Judge on 20th December, 2025. It is the case of the applicant that since the applicants were simultaneously dealing with large number of similar matters involving identical questions of law, the present matter, by mistake, escaped attention and could not be processed for filing of an appeal within the prescribed period of limitation. The omission was neither deliberate nor intentional, but occurred on account of bona fide administrative oversight.

During an internal review and scrutiny of the pending cases, it came to the knowledge of the applicant that, by inadvertence, the appeal had not been filed. Immediately, steps were taken for obtaining the relevant records for the filing of the appeal.

This Court had issued notice for the service of respondent No. 1 on 1st October, 2026. As per the report of the Registry respondent No. 1 was duly served, however, none had put in appearance on his behalf. Therefore, he was proceeded against ex-parte.

In view of the averments as made in the application, which is duly supported by an affidavit, and in view of the submissions made by the learned counsel for the applicant, the present application is allowed and the delay in filing the appeal is condoned.

The application stands disposed of.

Arbitration Appeal No. _____ of 2026

(ARBST No. 41361/2026)

Appeal be registered.

Heard.

Admit.

List for hearing in due course.

In the meantime, record be requisitioned.

Issue post-admission notice for the service of respondent No. 1, returnable within four weeks, on taking steps within three days.

OMP No. _____ of 2026
(OMPST No. 41589/2026)

Be registered.

Subject to deposit of entire awarded amount alongwith up-to-date interest by the applicant/appellant, execution, implementation and operation of impugned award dated 09.04.2024, passed by learned Arbitrator and judgment dated 20.12.2025, passed by learned District Judge, Mandi, H.P. in CIS Registration No. 1452 of 2024, shall remain stayed during the pendency of appeal. Needful be done within eight weeks from today.

Application stands disposed of.

(Romesh Verma)
Judge

November 2, 2026 *(*Nisha)