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

**CR-1665-2025 (O&M)
Date of Decision: 20.04.2026**

Sukhdip Singh alias Sukhdeep Singh

..... Petitioner

Versus

Government of India and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Chander Kant Rana, Advocate &
Mr. Vikram Rathore, Advocate,
for the petitioner.

Mr. Vibhor Bansal, Senior Panel Counsel,
for respondent No.1-UOI.

Mr. K.S. Kang, Advocate
for respondent No.2-NHAI.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present is revision petition filed under Article 227 of the Constitution of India for modification of the impugned order dated 23.01.2025 passed by learned Additional District Judge, Bathinda (Annexure P-4) vide which the application under Section 36(2) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act') has been allowed and the operation of the Award dated 12.03.2019 has been stayed till the disposal of the objection petition under Section 34 of the Act, subject to the petitioner i.e. NHAI/Govt. of India depositing entire enhanced amount of compensation (as per the arbitral award) with the executing court within a period of two months along with the calculation sheet of the calculated amount, in the shape of fixed deposit or a bank guarantee and the same shall be released to the landowners only after the decision of the petition under Section 34 of the Act.



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2. Learned counsel for the petitioner submitted that the petitioner is a land-loser whose land was acquired. After the award was passed by learned Arbitrator, the respondent-National Highways Authority of India preferred objections under Section 34 of the Act before the learned Additional District Judge, Bathinda. These objections were filed in the year 2019 along with an application under Section 36(2) of the Act. By way of the impugned order dated 23.01.2025 (Annexure P-4), learned Additional District Judge has stayed the operation of the impugned award, subject to deposit of the entire enhanced amount of compensation (as per the arbitral award) with the Executing Court along with the calculation sheet of the calculated amount in the shape of a fixed deposit or a Bank Guarantee. It was further so observed that the aforesaid amount shall be released to the landowners only after the decision of the petition under Section 34 of the Act. Learned counsel submitted that the petitioner is aggrieved by the limited portion of the aforesaid order whereby the amount shall not be released to the petitioner till the decision of the petition under Section 34 of the Act. He further submitted that the petition under Section 34 of the Act has been pending for the last 7 years which has caused acute prejudice to the petitioner. He prayed that at least 50% of the aforesaid amount be released to the petitioner out of the aforesaid amount deposited by the respondent-NHAI on furnishing of adequate security in terms of the judgment of Hon'ble Supreme Court in *Special Leave to Appeal (C) No.26913-26915 of 2025* titled as "*Vineet Sharma and another Vs. National Highway Authority of India and others*" decided on 23.03.2026.

3. On the other hand, Mr. K.S. Kang, Advocate has caused appearance and filed his Vakalatnama on behalf of the respondent-NHAI and submitted that there is no dispute with regard to the judgment passed by



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Hon'ble Supreme Court in *Vineet Sharma and another Vs. National Highway Authority of India and others case (Supra)* wherein a detailed order passed by this Court in a bunch of Civil Revisions, with the lead case bearing No. **CR-2594-2025** titled as "*National Highways Authority of India versus Piara Lal and others*" decided on **04.09.2025** was modified to the limited extent. He however submitted that the petitioner is not entitled for the aforesaid 50% of the amount, since the objections under Section 34 of the Act are now required to be decided. He submitted that the aforesaid judgment of Hon'ble Supreme Court in *Vineet Sharma and another Vs. National Highway Authority of India and others case (Supra)* was passed on the basis of an earlier judgment of Hon'ble Supreme Court in *SLP (C) Diary No.2998 of 2026* "*National Highways Authority of India Vs. India Arylics Limited and others*" which was decided on 02.02.2026 in which the amount was directed to be released on the basis of adequate security. However, thereafter on 03.02.2026 there was another order passed by Hon'ble Supreme Court in *Special Leave to Appeal (C) No.30101 of 2024* "*National Highways Authority of India Vs. Kulwinder Singh and others*" in which it was directed to release the amount on furnishing adequate bank guarantee. Therefore, the respondent-NHAI has no objection in case 50% amount is released on furnishing of bank guarantee.

5. I have heard learned counsels for the parties.

6. The objections under Section 34 of the Act were filed by the respondent-NHAI on 19.04.2019, which are still pending before learned Additional District Judge, Bathinda. When an application was moved by the respondent-NHAI under Section 36(2) of the Act, the impugned order dated 23.01.2025 was passed by learned Additional District Judge, Bathinda whereby the operation of the impugned award was stayed, subject to deposit of the



entire enhanced amount of compensation (as per the arbitral award) with the Executing Court along with the calculation sheet of the calculated amount in the shape of a fixed deposit or a Bank Guarantee. However, it was further observed that the aforesaid amount shall be released to the landowners only after the decision of the petition under Section 34 of the Act.

7. The issue as to whether in such like cases where the objections under Section 34 of the Act are pending for a long period of time, the land-losers are entitled to release of any portion of the deposited amount, subject to any condition or not, has been dealt with by this Court in a bunch of civil revisions with the lead case i.e. ***National Highways Authority of India versus Piara Lal and others case (Supra)***. The relevant portion of the aforesaid judgment is reproduced as under:-

“21. Therefore, considering the aforesaid facts and circumstances, the present petitions are disposed of with the following directions:-

(i) The petitioner-NHAI is directed to deposit 100% of the award amount granted under Section 3G(5) of 1956 Act before the learned Executing Court, in case the aforesaid 100% amount has not been deposited till date before the learned Executing Court. In case the amount is deposited before CALA, then it shall be transmitted to the learned Executing Court forthwith. In case the undertakings given by the learned counsels for the petitioners-NHAI with regard to the above on taking instructions from NHAI are not complied with, then the respondents-land losers shall be at liberty to file any appropriate application before this Court or any other petition including a contempt petition.

(ii) Out of the total amount deposited by the NHAI, 50%



of the deposited amount shall be deposited in a Nationalized Bank in the shape of FDR earning maximum rate of interest and the same shall be renewed from time to time, if required. The remaining 50% of the amount may be released to the land losers in the event of their filing an application within a period of four months from today, subject to furnishing of adequate bank guarantee. In case no such application is made by the land losers in this regard within the aforesaid period, then the aforesaid amount of 50% shall be kept in a Nationalized Bank in the shape of FDR earning maximum rate of interest.

(iii) The respondents-land losers shall be permitted to seek release of the aforesaid amount of 50% mentioned in the preceding para, even partially i.e. less than 50% also subject to furnishing of adequate bank guarantee and thereafter, the remaining amount shall be deposited in the Nationalized Bank in the shape of FDR in the same manner.

(iv) The Courts where the objections under Section 34 of the Act are pending shall make an endeavour to decide the same as early as possible and preferably within a period of six months from today.”

8. The aforesaid judgment i.e. ***National Highways Authority of India versus Piara Lal and others case (Supra)*** passed by this Court was assailed before Hon'ble Supreme Court in ***Vineet Sharma and another Vs. National Highway Authority of India and others case (Supra)*** and Hon'ble Supreme Court did not interfere with the order passed by this Court and modified the said order to the limited extent that instead of furnishing of bank guarantee, the said amount be released to the land owners, on furnishing



security of their own land, or on the security furnished of any other land owner submitting the papers of title. The relevant portion of the order passed by Hon'ble Supreme Court in ***Vineet Sharma and another Vs. National Highway Authority of India and others case (Supra)*** is also reproduced as under:-

*“3) In our view, when the land belonging to petitioners was acquired to which compensation has been determined and deposited, though under challenge before the High Court, however, putting such an onerous condition to release 50% only on the bank guarantee does not appear reasonable. In support of the said contention reliance has been placed on the order dated 02.02.2026 passed recently in the case of **National Highways Authority of India v. Indian Acrylics Limited & Ors. (SLP (C) Diary No. 2998 of 2026)**. However, considering the same, we dispose of these petitions with the direction that condition No. 21(ii) stands modified and the condition of furnishing bank guarantee by the High court for release of 50% amount stands set aside. The said amount be released to the land owners, on furnishing security of their own land, or on the security furnished of any other Land owner submitting the papers of title. proceedings with respect to determination of the compensation As prayed, the pending before the High Court may be decided on priority or as expeditiously as possible.”*

9. So far as the argument which was raised by learned counsel for the respondent that in another case i.e. ***National Highways Authority of India Vs. Kulwinder Singh and others case (Supra)***, Hon'ble Supreme Court has directed to release the amount by way of bank guarantee is concerned, this Court is of the considered view that considering long pendency of the



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objections under Section 34 of the Act, which is stated to be almost 7 years, it will be in the interest of justice in case the impugned order is modified to a limited extent that the petitioner land-losers should be granted liberty to get disbursed 50% of the amount in their favour subject to furnishing of security of their own land, or on the security furnished of any other land owner submitting the papers of title strictly in consonance of the order passed by Hon'ble Supreme Court in *Vineet Sharma and another Vs. National Highway Authority of India and others case (Supra)*.

10. Consequently, the present petition is allowed. The impugned order dated 23.01.2025 (Annexure P-4) is modified to the aforesaid limited extent that the petitioner shall be permitted to get 50% of the aforesaid amount out of the amount deposited by the respondent-NHAI in his favour, subject to furnishing of security of their his land, or on the security furnished of any other land owner submitting the papers of title.

20.04.2026

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

1. Whether speaking/reasoned:
2. Whether reportable:

Yes/No
Yes/No