



CR-2500-2026 (O&M) 1

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

**CR-2500-2026 (O&M)
Date of Decision:17.03.2026**

National Highways Authority of India

.....Petitioner
Versus

Ramel Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. K.S. Kang, Advocate and
Ms. Yukti Garg, Advocate for the petitioner.

JASGURPREET SINGH PURI J.(Oral)

1. The present revision petition has been filed under Article 227 of Constitution of India for setting aside/modification of the order dated 06.03.2026 (Annexure P-6) passed by learned Additional District Judge, Rupnagar in ARB/433/2023 titled as Union of India and another vs. Ramel Singh & ors..

2. Learned counsel appearing on behalf of the petitioner submitted that by way of the impugned order (Annexure P-6), the learned Court while deciding application under Section 36(2) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act') has directed the unconditional withdrawal of 50% of the amount by respondent No.1. He



CR-2500-2026 (O&M) 2

further submitted that in view of the order passed by this Court on 04.09.2025 in a bunch of Civil Revisions with the leading case bearing No.CR-2594-2025 (Annexure P-7), any withdrawal can only be permitted on furnishing of a bank guarantee. He also submitted that as per para No.5 of the impugned order, the amount has already been attached in the execution proceedings.

3. Notice of motion to respondent No.1 only.

4. At this stage, Mr. Raj Kumar Rathore, Advocate, has caused appearance on behalf of respondent No.1 and has filed his Power of Attorney, which is taken on record. He submitted that there is no illegality in the impugned order passed by the learned Court in view of the fact that only 50% of the amount has been directed to be released and at the most, a condition for furnishing of adequate security can be imposed but not the condition of a bank guarantee.

5. I have heard learned counsels for the parties.

6. By way of the impugned order, learned Additional District Judge, Rupnagar, vide order dated 06.03.2026, has directed that the execution proceedings shall remain stayed subject to the petitioner depositing the amount within one week and respondent No.1 shall be at liberty to withdraw 50% of the amount. In this manner, 50% of the amount has been directed to be withdrawn unconditionally.

7. This Court had an occasion to deal with the aforesaid issue as to whether, while deciding an application under Section 36(2) of the



CR-2500-2026 (O&M) 3

Arbitration and Conciliation Act, 1996, such an unconditional order can be passed or not, or as to whether 50% of the amount can be released on the basis of furnishing of adequate security or not, in the judgment of *National Highways Authority of India versus Piara Lal and others* (Annexure P-7). 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



CR-2500-2026 (O&M) 4

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. Learned counsel appearing on behalf of the petitioner submitted that although the aforesaid amount has not been deposited within one week, the entire amount already stands attached. During the course of arguments, learned counsel for the petitioner further submitted that the petitioner undertakes to deposit the entire amount with the learned Court within a period of one week from today, and in view of the judgment passed by this Court in ***National Highways Authority of India versus Piara Lal and others case (Supra)***, 50% of the amount can be permitted to



CR-2500-2026 (O&M) 5

be released to the respondent/land-loser on furnishing of an adequate bank guarantee, in terms of the aforesaid judgment.

9. In view of the above, this Court is of the considered view that the prayer made by the petitioner is squarely covered by the judgment passed by this Court in *National Highways Authority of India versus Piara Lal and others case (Supra)*. Accordingly, the impugned order dated 06.03.2026 (Annexure P-6) passed by learned Additional District Judge, Rupnagar, is modified to the extent that, upon the petitioner depositing the entire amount before the learned Executing Court within one week from today, respondent No.1 shall be entitled to withdraw 50% of the amount subject to furnishing an adequate bank guarantee.

10. It is further made clear that in case the petitioner–NHAI does not deposit the entire amount within a period of one week from today then there shall be no stay of the execution proceedings.

11. Present petition stands allowed to the aforesaid extent.

(JASGURPREET SINGH PURI)
JUDGE

17.03.2026

shweta

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No