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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **OMP (ENF.) (COMM.) 42/2023 & EX.APPL.(OS) 1679/2025**

JITENDRA SINGH

.....Decree Holder

Through: Mr. Shivansh Soni, Adv.

versus

NATIONAL HIGHWAYS AUTHORITY OF INDIA

.....Judgement Debtor

Through: Mr. Ankur Mittal, Mr. Ankur Saboo,
Ms. Simran Goa, Advs.

CORAM:

HON'BLE MR. JUSTICE AVNEESH JHINGAN

ORDER

18.03.2026

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1. This petition has been filed for execution of the award dated 11.09.2021. The petition filed under Section 34 of the Arbitration and Conciliation Act, 1996 (hereinafter 'the Act') against the award is pending before this Court and is now fixed for 28.07.2026.

2. On 19.07.2023, following order was passed:

"1. This petition is filed for enforcement of the arbitral award dated 11.09.2021 whereby claims No.3 & 4 of the claimant were allowed. Admittedly, the petition under Section 34 the Arbitration and Conciliation Act, 1996 has been filed against an award dated 11.09.2021, but there is no stay to the execution of the award.

2. In the circumstances, let the decretal award with upto date interest be deposited by the respondent within six weeks from today with the Registrar General of this Court. In case the deposit is made by respondent, the petitioner is at liberty to



withdraw the same subject to furnishing the bank guarantee of the equivalent amount to the satisfaction of the Registrar General of this Court, as per rules.

3. List again on 17.10.2023.”

3. The order dated 20.11.2025 is reproduced below:

“1. Vide order dated 19th July, 2023, a direction was issued to the judgment debtor to deposit the awarded amount along with up to date interest within six (6) weeks from the date of order. Further, liberty was given to the decree holder to withdraw the said amount, subject to furnishing the bank guarantee of the equivalent amount to the satisfaction of the Registrar General of this Court.

1.1. The aforesaid amount has been deposited by the judgment debtor.

2. Counsel for the decree holder submits that this amount could not be released earlier as the decree holder could not provide the bank guarantee. However, now, the decree holder is in a position to provide bank guarantee of the equivalent amount to the satisfaction of the Registrar General of this Court.

3. Accordingly, the direction issued in the order dated 19th July, 2023 permitting the petitioner/decreed holder to withdraw the deposited amount, subject to furnishing the bank guarantee of the equivalent amount to the satisfaction of the Registrar General of this Court, is reiterated.

4. List before the Registrar General on 23rd December, 2025.

5. List before the Court on 18th March, 2026.”

4. Learned counsel for the decree holder contends that the partial amount was released to the decree holder on furnishing of a bank guarantee.

5. It is an undisputed fact that the directions of this Court dated 19.07.2023 have been complied with by the judgement debtor and the



amount awarded along with interest as directed has been deposited with this Court. The partial amount on compliance with the conditions imposed by this Court was released to the decree holder. The petition under Section 34 of the Act is pending as on date.

6. In this view, at this stage, the execution petition is disposed of with the direction that on furnishing of a bank guarantee to the satisfaction of the Registrar General of this Court the remaining amount be released to the decree holder. Further, the bank guarantee shall be kept alive till the decision of the petition filed under Section 34 of the Act.

7. The petitioner shall be at liberty to revive the petition in the case cause of action still survives after the decision in the petition under Section 34 of the Act.

AVNEESH JHINGAN, J

MARCH 18, 2026

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