



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

Sr. No.115-5

CR-2786-2025

Date of Decision: 21.05.2025

National Highways Authority of India

... Petitioner

Versus

Gian Parkash and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

Present: Mr. Raghujeet Singh Madan, Advocate, for the petitioner  
(through video conferencing).

**TRIBHUVAN DAHIYA, J. (ORAL)**

The petition has been filed for setting aside the order dated 04.04.2025, Annexure P-1, passed by learned Additional District Judge, Patiala, whereby application under Section 36(2) of the Arbitration and Conciliation Act, 1996, has been allowed and operation of the award, dated 16.03.2022, has been stayed till disposal of objection petition under Section 34 of the Act, subject to deposit of entire enhanced awarded amount along with requisite interest by the petitioner within three months, out of which fifty per cent is to be released to the land owners and the remaining is to be kept in the shape of FDR.

2. Learned counsel has referred to a recent judgment, dated 20.03.2025, rendered by a Division Bench in CWP No.19799 of 2023 titled *Sohan Lal and others v. Union of India and others*, and the subsequent clarification issued vide order dated 29.04.2025. He contends that in view of the law laid down, execution petition to enforce the award was not maintainable, and the impugned order could not have been passed.



3. It however remains undisputed that the issue raised herein was never raised before learned Additional District Judge as the judgment was not available.

4. In view thereof, the petition is disposed of granting liberty to the petitioner to approach learned Additional District Judge, Patiala, taking all the pleas as raised in the instant petition. The application, if any, filed by the petitioner will be decided on its own merits in accordance with law.

**(TRIBHUVAN DAHIYA)  
JUDGE**

21.05.2025  
Maninder

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