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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-2780-2025

Date of Decision :07.05.2025

National Highways Authority of India ...Petitioner

Versus

Rajvinder Singh & OrsRespondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Raghujeet Singh Madan, Advocate for the petitioner.

TRIBHUVAN DAHIYA, J. (ORAL)

The petition has been filed for setting aside the order, dated 08.04.2025 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 15.03.2022, has been stayed till disposal of objection petition under Section 34 of the Act, subject to deposit of entire enhanced awarded amount alongwith requisite interest by the petitioner within two 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-19799-2023 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, even execution petition to enforce the award is not maintainable.



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 in accordance with law.

May 07, 2025

ps

**(TRIBHUVAN DAHIYA)
JUDGE**

Whether speaking/ reasoned : *Yes/No*

Whether reportable : *Yes/No*