

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS APPLICATION No. 2165 OF 2026

IN

(CIVIL APPEAL No. 423 OF 2025)

NATIONAL HIGHWAYS AUTHORITY OF INDIA NON-APPLICANT(S)/
PETITIONER(S)

VERSUS

TRIBHAVAN KUMAR JAIN & ORS. APPLICANTS/
RESPONDENT(S)

ORDER

1. We have heard learned counsel for the applicant(s) as well as learned counsel for National Highways Authority of India (NHAI).

2. This Miscellaneous Application has been filed seeking the following relief(s):

"A. Modify the order dated 16.01.2025 passed by this Hon'ble Court in Civil Appeal No. 423 of 2025 arising out of SLP(C) No. 27299 of 2024, titled National Highways Authority of India v. Tribhavan Kumar Jain & Ors., to the limited extent that the requirement of furnishing a bank guarantee of a nationalised bank for release of 50% of the compensation amount may be dispensed with/substituted;

B. Direct that 50% of the compensation amount

be released to the Applicants/Respondent Nos. 1 to 4 upon furnishing adequate security comprising title deeds/ownership documents of equivalent value/security of their own land or security furnished by any other landowner by submitting title papers, to the satisfaction of the learned Executing Court;

C. Direct that the remaining 50% amount shall continue to remain invested in fixed deposit with a nationalised bank and renewed from time to time till disposal of the appeal before the High Court, as already directed by this Hon'ble Court vide order dated 16.01.2025."

3. It may be mentioned that in Civil Appeal No.420 of 2025 instituted by the NHAI, this Court passed the order dated 16.01.2025 which reads thus:

"Leave granted.

The impugned orders are modified to a limited extent. It will be open for the executing Court to disburse 50 per cent of the compensation amount to the claimants against a bank guarantee of a nationalised bank to be furnished by the claimants to the satisfaction of the executing Court. The remaining amount shall be invested in a fixed deposit with any nationalised bank and the fixed deposit shall

be renewed from time to time till the disposal of the appeals before the High Court.

The Appeals are partly allowed on the above terms."

4. We find that in an identical matter being Special Leave Petition (Civil) Diary No. 2998/2026 [National Highways Authority of India versus Indian Acrylics Limited & Ors.], a co-ordinate Bench of this Court while disposing of the matter on 02.02.2026 had passed the following order:

3. Having heard the learned counsel for the NHAI, and with a view to expedite the release of compensation amount to the land owners, we deem it appropriate to dispose of these Special Leave Petitions with a clarification that the 'adequate security' may be security comprising title deeds/ownership documents of equivalent value, to the satisfaction of the executing court, but such 'adequate security' shall not be in the form of a bank guarantee.

5. We are of the view that furnishing of bank guarantee of a Nationalized Bank to the extent of 50% of the compensation awarded to the claimant(s) would be harsh; after all, applicant(s) are the land owner(s) of the land(s).

6. In such circumstances and having regard to the peculiar facts of this case, it would be just and proper to substitute the requirement of bank guarantee by adequate security which may be by way of title deeds/ownership documents of equivalent value etc.

7. With the above clarification, the Interlocutory Application is disposed of.

8. The Miscellaneous Application is allowed.

9. Pending application(s), if any, shall stand disposed of.

..... J.

[UJJAL BHUYAN]

..... J.

[ATUL S. CHANDURKAR]

NEW DELHI;
12th AUGUST, 2026.

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Miscellaneous Application No. 2165/2026 in C.A. No. 423/2025

[Arising out of impugned final judgment and order dated 17-01-2025 in C.A. No. No. 423/2025 passed by the Supreme Court of India]

NATIONAL HIGHWAYS AUTHORITY OF INDIA

Petitioner(s)

VERSUS

TRIBHAVAN KUMAR JAIN & ORS.

Respondent(s)

(IA No. 163202/2026 - MODIFICATION OF COURT ORDER)

Date : 12-08-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE UJJAL BHUYAN
HON'BLE MR. JUSTICE ATUL S. CHANDURKAR

For Petitioner(s): Mr. Aditya Soni, AOR

Mr. K. S. Kang, Adv.
Mr. Amrendra Kumar Mehta, AOR
Mr. Sanjeeva Kumar Gupta, Adv.
Ms. Anita Mahapatra, Adv.

For Respondent(s): Mr. Aditya Soni, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. The Miscellaneous Application is allowed in terms of the signed order placed on the file.
2. Pending application(s), if any, shall stand disposed of.

(ABHINAV KUMAR)
COURT MASTER (SH)

(CHETNA BALOONI)
COURT MASTER (NSH)