

NHAI vs. Ashwani Kumar

OMP(M) No.51 of 2026

06.07.2026 Present: Mr. Sumeet Raj Sharma, Advocate, for the appellant.
Mr. Anirudh Sharma, Advocate, for respondent No.1.

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The instant application has been filed for condonation of delay of 517 days delay in filing the present appeal. It has been averred in the application that the certified copy of impugned judgment dated 03.07.2024 was applied on 12.12.2024 and the same was delivered on 08.01.2025. Due to inadvertence and oversight, the certified copy was misplaced and could not be traced despite best efforts. The misplacement of certified copy was neither deliberate nor intentional but occurred due to bonafide circumstances. Further it has been averred that upon retrieval of the certified copy after diligent search, the applicant immediately took all necessary steps for filing the appeal.

Therefore, it has been prayed that the delay in filing the appeal is neither intentional nor willful, but the same has occurred due to unavoidable circumstances.

Learned counsel for the appearing non-applicant has no objection in case the application is allowed.

Consequently, in view of the averments as made in the application, which is duly supported by an affidavit and in view of submissions as made by learned counsel for the applicant, the present application is allowed and delay in filing the appeal is condoned.

Accordingly, the application stands disposed of.

Arb. Appeal No._____ of 2026

Appeal be registered.

In sequel to orders dated 28.04.2026 and 15.06.2026, consequential steps for bringing on record the legal representatives of deceased respondent No.2 have not been taken till date. Accordingly, the appeal is ordered to be dismissed as having been abated qua respondent No.2.

Heard.

Admit.

Send for records.

List in due course.

OMPST No.64693 of 2025

Be registered. Heard

Subject to deposit of entire awarded amount along with up-to-date interest by the appellant/applicant within a period of eight weeks from today, the operation, implementation and execution of impugned order dated 03.07.2024, as passed by learned District Judge, Mandi as well as arbitral award dated 15.02.2023 during the pendency of appeal is ordered to be stayed.

Application stands disposed of.

**(Romesh Verma)
Judge**

July, 06, 2026
(vt)