

NHAI versus Bakshi Ram & Another

Arb. Appeal No. of 2026

17.07.2026

Present:

Ms. Shreya Chauhan, Advocate, for the applicant.

None for the respondents.

OMP (M) No.126 of 2026

On 19.06.2026, in pursuance of the notice issued to the respondents, they have put appearance through their counsel Shri Vivek Thakur, Advocate and the matter has been adjourned for today to enable the respondents to file power of attorney, as well as, reply to the application.

Today, neither respondents, nor, their
counsel have put appearance. Waited sufficiently. Further
wait is not justifiable.

By way of the present application, a prayer has been made to condone the delay, as occurred, in filing the accompanying appeal, which, as per the report of the Registry, is delay of 390 days.

The delay has mainly been sought to be condoned on the ground of administrative exigencies in preferring the accompanying appeal. The averments, as made, in the application, are duly supported by the affidavit of the Project Director, NHAI, which remain uncontroverted,

as despite due representation of the respondents, on the last date of hearing, today, no one has put appearance on behalf of the respondents.

Considering the said fact, the application under consideration is allowed and the delay, as occurred, in filing the main appeal, is ordered to be condoned.

The application stands disposed of.

Arb. Appeal No. _____ of 2026

Be registered.

Admit.

OMPST No.70683 of 2025

The application is considered and allowed. During the pendency of the appeal, the execution of the award dated 05.04.2023, passed in Case No.109/2021, by the Divisional Commissioner, exercising the powers of Arbitrator under the National Highways Act, 1956, is ordered to be stayed, subject to deposit of the entire awarded amount, together with upto date interest, within a period of eight weeks. The application is disposed of. Modification/alteration/vacation on motion.

**(Virender Singh)
Judge**

July 17, 2026 (ps)