

NHAI vs. Thakur Dass

OMP(M) No. 248 of 2026

07.07.2026

Present: Ms. Sneh Bhimta, Advocate, vice counsel for the applicant.

Mr. Anirudh Sharma, Advocate, for the respondent.

The present application has been filed for condonation of delay of 329 days in filing the present appeal. It has been averred that the impugned judgment was passed by learned District Judge, Mandi on 07.03.2025. Learned counsel for the applicant had applied for certified copy of impugned judgment on 12.06.2025 and the same was delivered on 26.06.2025. However, the disposal of the case was not within the knowledge of the applicant as the same was never intimated to the applicant by its counsel.

As per the applicant, earlier also, due to inefficiency and lackadaisical attitude of the law firm, as many as 362 cases pending in District Mandi/ Bilaspur were withdrawn from the said law firm namely M/s M.V. Kini & Co. and were allotted to M/s Nishaank Mattoo & Associates vide letter dated 20.09.2023. It is further submitted that the applicant was under bonafide belief that the instant case is pending before the learned District Judge, Bilaspur/Mandi and on closing of the financial year, the applicant inquired from all the

counsels/law firms about the pendency of all the cases pending in various forums throughout the State of H.P. and then it came to their knowledge that the objection petitions pertaining to Mohal Dehar have been disposed of. Thereafter, the applicant immediately contacted its counsel in order to procure the certified copy as well as record for preparation of the instant 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 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 the delay in filing the appeal is condoned.

Accordingly, the application stands disposed of.

Arb. Appeal No. _____/2026

Appeal be registered.

Heard.

Admit.

Send for records. List for hearing in due course.

Learned counsel for the respondent undertakes to file power of attorney on behalf of the respondent within three weeks.

OMPST No. 3948 of 2026

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 judgment dated 07.03.2025, as passed by learned District Judge, Mandi as well as arbitral award dated 15.02.2023, is ordered to be stayed during the pendency of appeal.

Application stands disposed of.

(Romesh Verma)
Judge

7th July, 2026
(kck)