

Execution of Arbitral Award/6/2023

ECI-KEYSTONE(JV)

Vs

The Superintending Engineer, National Highway Circle,
PWD, Government of Chhattisgarh

14.05.2026

Mr. Purvesh Buttan, Mr. Naman Keswani Ld. Advocates for award-holder.

Md. Junaid Sameer Ld. Govt. Pleader for award-debtor along with Mr. Vijay Kumar Bhatpahari, Engineer-in-Chief, PWD, Mr. Gyaneshwar Kashyap, Chief Engineer, PWD and Mr. Surendra Singh Manjhi, Superintending Engineer (OIC).

Mr. Keswani submitted memo of appearance on behalf of award-holder.

Today the case has been fixed for personal appearance of Engineer-in-Chief, PWD and the concerned Chief Engineer, PWD and further proceedings.

The affidavits of Mr. Vijay Kumar Bhatpahari, Engineer-in-Chief, PWD, Mr. Gyaneshwar Kashyap, Chief Engineer, PWD and Mr. Surendra Singh Manjhi, Superintending Engineer in terms of previous direction of this Court are placed on record.

The counsel for award-holder raised strong objections regarding non-compliance of this Court's order as the affidavits tendered today do not conform with the specific directions of this Court.

He also submitted that the award-debtor has again shown utter insincere and causal approach and not taken any effective steps towards expeditious payment of award amount.

He also highlighted that an amount of around 80 lakhs has further been accumulated in terms of interest on the award amount from the last date of hearing.

The counsel for award-debtor requested for grant of some time to come up with additional affidavits in consonance with this Court's directions.

This Court cannot but express its dismay at the sheer consistency in the conduct of award-debtor in not taking

any effective steps towards ensuring expeditious payment of award amount.

It would appear that the award-debtor is simply content with writing letters to MoRTH and looking hopefully at its door for the payment, in spite of the fact that the MoRTH has shown its unwillingness in making any payment owing to the very conduct of award-debtor in suffering the ex-parte award.

As a measure of financial wisdom, the award-debtor may as well choose to make the payment of the award amount on its own at the earliest, leaving its *inter se* issues with MoRTH to be settled separately. This would obviate any further undesirable accumulation of hefty interest and unnecessary and totally uncalled for burdening of public exchequer.

Matter is again fixed for filing additional affidavits of Engineer-in-Chief, PWD and the concerned Chief Engineer, PWD and further proceedings on **22.05.2026**.

(Pankaj Sharma)

Judge

Commercial Court (District Judge Level)

Nava Raipur Atal Nagar, Distt. Raipur,

Chhattisgarh