

MHLA010040672021



ORDER BELOW EXH.1 IN ARB.CASE No.434/2021
National Highways Vs. The competent Authority & Or.

The applicant National Highways Authority of India has preferred this application challenging the arbitral award under Section 34 of the Arbitration and Conciliation Act. The applicant and respondent No.2 have jointly filed settlement memo at **Exh.28** wherein the applicant has agreed to pay the amount of compensation as directed by the arbitral award. Respondent No.2 has agreed to waive the interest for the period of 18 months upon the calculated amount and accordingly, an amount of Rs.32,76,596/- is agreed amount of settlement. The applicant also deposited the said agreed amount in the Court. The learned advocates of applicant and respondent No.2, authorized person of applicant and respondent No.2 have signed the said settlement memo **Exh.28**. The parties have admitted the contents of the said settlement memo. So also, the respondent No.2 has filed application below Exh.26 praying for withdrawal of the amount deposited in the Court.

2. I have considered the settlement memo and the scope of proceeding under Section 34 of Arbitration and Conciliation Act. The application under Section 34 of the Act, is filed to set aside the arbitral award upon the grounds provided under Section 34 (2) and under Section 34 (2-A) of the Act. As per the settlement the

applicant has agreed to abide by the arbitral award. Therefore, no grounds remained so, to be considered for setting aside the arbitral award. Accordingly, this application requires to be dismissed in view of the settlement memo. Hence, I pass the following order.

ORDER

1. The application stands disposed as withdrawn by the applicant.
2. The application below Exh.26 is allowed.
3. The parties to bear their own costs.
4. The Assistant Superintendent, Cash and Finance of District Court,Latur shall pay the amount of Rs.32,76,596/- deposited vide Reg. 'C' at Sr. No.305 dated 23/01/2026 to respondent No.2 as per rule and upon proper identification.
5. The Court fees if any, be refunded as per rule.

Date-20/03/2026

(P. P. Kestikar)
Adhoc District Judge-2,
Latur.