

CNR No: PBRO010012302019

CIS No: EXE-243-2019

Charan Kaur VS The National Highway Authority of India etc.

Present: Sh. Manish Dharmani, Adv counsel for DH

Sh. Neeraj Sharma, Adv counsel for JD

Ld GP for JD No.2-exparte

JD No.2 has placed on record cheque amounting of Rs. 3231458/-. The said cheque be sent to District Nazir and report in this regard be called for next date of hearing.

Sh. Neeraj Sharma, Adv has submitted that necessary sanction has also been received for disbursing the amount of Rs. 4766703/- and ld counsel for JD No. 1 has stated at bar that the said amount would also be released to the DH very soon.

Arguments heard on the calculation submitted by both the parties. The moot point before the court is whether, the DH is entitled to interest from the date when the award by the Competent Authority was passed or from the date when the award by the Arbitrator was passed. Submissions heard on said point. The case stands adjourned to 22.2.2022 for making the payment of Rs. 4766703/- as discussed above, for orders and for also for submitting any case law.

It has been brought to the notice of the court by Ld counsel for the DH that JD NO.1 had deposited the amount of Rs. 3231458/- with JD NO.2 SDM, Anandpur Sahib. Ld counsel for DH has submitted that the DH was made to visit the office two times and bonds were also taken by JD No.2 for the purpose of disbursement of amount deposited by JD No.1. Even bank details were also furnished by JD No.2. However instead of transferring the amount in

bank account of DH, JD NO.2 as intentionally issue the cheque in the name of Court with view to harass the DH. The DH shall again be required to furnish surety in the court which is nothing but intentionally harassment on the part of office of JD no.2. After hearing submissions, the concerned official from office of JD NO.2 is directed to appear in the court on next date of hearing to explain the aforesaid submission made by Ld counsel for DH.

Date of Order: 11-02-2022

RS, Steno-II

(Barinder Singh Ramana)

Additional District Judge/Rupnagar

UID NO . PB00161