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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 4817/2026, CM APPL. 23578/2026, CM APPL. 23579/2026, CM APPL. 23580/2026 and CM APPL. 24716/2026

MD. KARIMUNNISA

.....Petitioner

Through: Mr. Sanjoy Ghose, Sr. Adv.
with Mr. Kaustubh Anshuraj,
Mr. Parmod Kalirana, Mr.
Manish Choudhary, Mr. Amaya
Vaid, Advs.

versus

NATIONAL HIGHWAYS AUTHORITY OF INDIA
THROUGH ITS CHAIRMAN & ANR.Respondents

Through: Mr. N. Venkataraman, ASG
with Mr. Namit Saxena, Adv.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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17.04.2026

1. Yesterday, i.e. on 16.04.2026, after hearing learned counsel representing the parties at length, the following order was passed:-

"1. Learned Senior Counsel representing the Petitioner has been heard at length.

2. When learned Senior Counsel representing the Respondents started his submissions, he produced a tabulated compilation reflecting that the present toll collection at New Toll Plaza has grown by leaps and bounds. In the month of April 2025, the ETC collection was Rs. 2,31,734/-, whereas it rose to Rs. 5,22,521/- in the month of August 2025, while the Petitioner was paying a license fee @ Rs. 2,58,737/- per day. Subsequently, the collection increased to Rs. 9,37,590/- against the payment of fee @ Rs. 2,58,737/- per day.

3. A copy of the said compilation has been supplied to learned Senior Counsel representing the Petitioner, who is granted an opportunity to respond thereto.

4. The Respondents are also given opportunity to explain why



the period of 10 months out of one year was taken to invoke Clause 35(6) of the Contract.

5. *List on 17.04.2026 in the "Supplementary List".*

2. The Petitioner has not filed any response.
3. Once again, opportunity has been granted to the parties, and they have been heard at some length.
4. Judgment reserved.
5. The Respondents are directed to furnish estimated loss suffered by the public exchequer, *i.e.* The National Highways Authority of India, on account of delay in taking steps in accordance with Clause 35(6) of the Contract Agreement.
6. The parties shall be at liberty to file Written Note of Short Submissions by tomorrow, *i.e.* 18.04.2026.

ANIL KSHETARPAL, J.

AMIT MAHAJAN, J.

APRIL 17, 2026/sp/ad