



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

ARBITRATION APPEAL NO.68/2025

National Highways Authority of India, thr. Its Project Director, Project
Implementation Unit- Nagpur

Vs.

Nareshchandra Maheshchandra Agrawal and ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A.A. Kathane, Advocate for applicant
Shri A.B. Patil, Advocate for respondent Nos.1 to 6
Shri S.C. Joshi, AGP for respondent Nos.7 and 8

CORAM : SMT. M.S. JAWALKAR, J.
DATED : 26.03.2025

Heard.

2. Issue notice to the respondents, returnable on 24.04.2025.
3. Shri A.B. Patil, learned Counsel waives notice for respondent Nos.1 to 6.
4. Learned AGP waives notice for respondent Nos.7 and 8.

CIVIL APPLICATION No.46/2025

The present application is filed for grant of stay under Section 9 of the Arbitration and Conciliation Act,1996. Due to rival contention of the parties, it appears that in earlier round of acquisition, the award of arbitrator was confirmed up to the Hon'ble Supreme Court.

2. The respondent Nos.1 to 6 claiming the same rate for subsequent acquisition of the land, which one is parallel to the earlier acquisition. The learned Counsel for NHA1 submits that there is a slab system and in view thereof, they cannot award the same rate.

3. As against this, learned Counsel for respondents submits that the earlier acquisition was in the year 2018 and subsequent acquisition is of 2024. Therefore in fact, they should be given additional rate. Be that as it may, both the parties will have to argue on this issue on merit.

4. There shall be ad-interim relief in terms of prayer Clause (i) till returnable date, subject to deposit of total amount of compensation with this Court before 24.04.2025.

6. Learned Counsel for respondent Nos.1 to 6 filed pursis today, which is taken on record along with map, guidelines for calculation of compensation and the judgment in SLP (Civil) Diary No.42498/2022.

JUDGE

R.S. Sahare