

**Engineer-in-Chief, HPPWD and others Versus Sirmour Singh a/w connected matter**

**Arbitration Case No.456 of 2023 and  
Arbitration Case No.466 of 2023**

**Arbitration Case No.456 of 2023**

06.01.2025 Present: Mr. Vishav Deep Sharma, Additional Advocate General, for the petitioners-State.

Mr. Devender Sharma, Advocate vice  
Mr. C.N. Singh, Advocate, for the respondent.

**Arbitration Case No.466 of 2023**

Mr. Devender Sharma, Advocate vice  
Mr. C.N. Singh, Advocate, for the petitioner.

Mr. Vishav Deep Sharma, Additional Advocate General, for the respondents-State.

**OMP No.1070 of 2024 in  
Arbitration Case No.456 of 2023**

Applicant, Sirmour Singh, has filed the instant application, seeking release of awarded amount of Rs.1,31,35,181/- [One Crore Thirty One Lakh Thirty Five Thousand One Hundred Eighty One] in terms of Award dated 28.02.2023 passed by Learned Arbitrator in Arbitration Case No.31 of 2021, titled as Sirmour Singh Versus Engineer-in-Chief, HPPWD and others.

**2.** Prayer for release of amount has been made in view of averments in Para-7 of application that applicant is in need of money so as to complete his work and liabilities. Details of bank account have

also been spelt out in Para-9 of the application and bank account passbook has also been annexed as Annexure A-1, in which the released amount is intended to be remitted.

**3.** Upon issuance of notice on this application, respondents/non-applicants/objectors have filed the reply. Averments in the reply indicate that the applicant/respondent had left the work incomplete and therefore, the Award passed by Learned Arbitrator is against the terms of contract, including public policy, which in every likelihood is likely to be set aside.

However, the reply-affidavit, does not dispute the necessity for release of amount as mentioned in the application.

**4.** Learned State Counsel submits that prayer for releasing entire amount may not be acceded to, as it would become difficult for the objectors to recover the amount, in case, the Award passed by Learned Arbitrator is overturned by this Court. However, he submits that any reasonable amount may be released which may be made, subject to furnishing of Surety/Security Bond to the satisfaction of Registrar [Judicial] of this Court by applicant/respondent.

**5.** Taking into account, the entirety of facts and circumstances and the objections of Learned State Counsel, the prayer of the applicant/petitioner, for seeking release of entire amount of Rs.1,31,35,181/- [One Crore Thirty One Lakh Thirty Five Thousand One Hundred Eighty One], is declined.

**6.** Notwithstanding the directions in Para-5 above, this Court directs Registry of this Court to release 25% of awarded amount of compensation and interest accrued thereon; by remitting the same in bank account of the applicant [Sirmour Singh], after due verification of bank account details and upon furnishing of Security Bond/Bank Guarantee, by the applicant, within two weeks from today.

The application stands disposed of accordingly.

**(Ranjan Sharma)**  
**Judge**

January 06, 2025  
*[Bhardwaj]*