



COCP-5078-2025 (O&M)

**214 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**COCP-5078-2025 (O&M)
Date of decision : 21.04.2026**

Surjit Singh & ors.

..... Petitioners

Versus

Santosh Kumar Yadav & anr.

..... Respondents

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. Rajinder Kumar Singla, Advocate
for the petitioners.

Mr. Ashwani Talwar, Sr. Advocate with
Mr. Bhanu Kathpalia, Advocate
Mr. Rohan Sachdev, Advocate
for the respondents along with
respondent No.2 through VC.

PANKAJ JAIN, J. (ORAL)

1 On 09.04.2026 this Court passed the following order :-

“[1] The Writ Court ordered as under:-

“xxxx xxxx xxxx

(i) The NHAI shall deposit 50 per cent of the compensation amount, as awarded by the Arbitral Court, with the Executing Court within a period of four weeks. The said amount shall be released to the land owners unconditionally.

(ii) The learned District Court, before whom the proceedings under Section 34 of the Arbitration Act are pending, shall make an endeavour to decide such proceedings within a period of six months from the next date of hearing before the said court.

(iii) The balance amount of compensation as per the Award to be passed under Section 34 of the Arbitration Act, shall be deposited by the NHAI with the Executing Court within four weeks after such determination. The said amount shall also be released by the

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Executing Court in favour of the land owners subject to the rights and remedies available to the parties in law.

xxxx xxxx xxxx ”

[2] Since the High Court directed NHAI to deposit 50 per cent of the awarded compensation, NHAI has to show that the compensation as been paid in accordance with Award.

[3] Respondents claim that compensation payable to landowners in terms of award is ₹12,28,26,704/- and the same stands deposited. Petitioners have filed rejoinder. The same is accompanied by calculation sheet prepared by Chartered Accountant. As per the same, compensation payable to the petitioners as per award is more than ₹ 75 crores. On being asking to reconcile the two and to explain how NHAI has calculated the compensation, counsel for the respondents has raised objection that compensation cannot be calculated in contempt petition.

[4] Counsel for the respondents has miserably failed to assist the Court to show as to how the compensation has been calculated by NHAI.

[5] In view thereof, this Court is constraint to call respondents in person on the next date of hearing as the poor land owners cannot be left to the mercy of NHAI.

Adjourned to 21.04.2026.”

2 Today Mr. Ashwani Talwar, Sr. Advocate has produced copy of the order dated 23.03.2026 passed in Special Leave to Appeal (C) Nos.26913-26915-/2025 wherein condition No.(ii) imposed by this Court stands modified observing as under :-

“2) It is a matter in which acquisition of the land belonging to the petitioners was made by the NHAI and the determination of compensation is an issue, wherein the direction to deposit the entire amount and release 50 per cent on bank guarantee has been ordered.

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3) *In our view, when the land belonging to petitioners was acquired to which compensation has been determined and deposited, though under challenge before the High Court, however, putting such an onerous condition to release 50% only on the bank guarantee does not appear reasonable. In support of the said contention reliance has been placed on the order dated 02.02.2026 passed recently in the case of National Highways Authority of India v. Indian Acrylics Limited & Ors. (SLP (C) Diary No. 2998 of 2026). However, considering the same, we dispose of these petitions with the direction that condition No. 21(ii) stands modified and the condition of furnishing bank guarantee by the High court for release of 50% amount stands set aside. The said amount be released to the land owners, on furnishing security of their own land, or on the security furnished of any other land owner submitting the papers of title. As prayed, the proceedings with respect to determination of the compensation pending before the High Court may be decided on priority or as expeditiously as possible.*

4) *With the above modification in the order impugned, the present Special Leave Petitions stand disposed of. Pending application(s), if any, shall also stand disposed of.”*

3 Mr. Talwar, Sr. Advocate at the same time admits that the interest has neither been calculated nor deposited. Counsel for the parties also admit that the execution proceedings arising out of the same award are pending.

4 In view of above, the present contempt petition is disposed off with the following directions :-

a) The order passed by the Writ Court be complied with in the light of the orders passed by the Supreme Court dated 23.03.2026;

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b) The NHAI shall also deposit the interest component before the Executing Court.

c) The petitioners shall be at liberty to raise issue with regard to rate of the compensation as construed by him before the Executing Court.

5 Counsel for the petitioners, however, complains that the NHAI seldom appears before the Executing Court.

6 Mr. Talwar, Sr. Advocate on instructions from the respondents submits that not only the NHAI will be adequately represented but the directions passed by the Executing Court shall be implemented and complied with in its letter and spirit in accordance with law.

7 Petitions stands disposed off.

21.04.2026*Pooja Sharma-I*

Whether speaking/reasoned:
Whether reportable:

(PANKAJ JAIN)
JUDGE

Yes/No
Yes/No