IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Arb. Case No. 141 of 2025

Date of decision: 06.08.2026.

Tek Chand ...Petitioner.

Versus

NHAI & another ...Respondents.

Coram:

The Hon'ble Mr. Justice Romesh Verma, Judge.

Whether approved for reporting?[1]

For the petitioner : Mr. Manjeet Singh, Advocate, vice Mr.G.R. Palsra, Advocate.

For the respondents : Ms.Shreya Chauhan, Advocate, for respondent No.1.

Mr. Baldev Singh Negi, Additional Advocate General, for respondent No.2.

Romesh Verma, Judge (Oral):

The present petition under Section 29 (A) of the Arbitration and Conciliation Act, 1996 has been filed by the petitioner seeking extension of time for completion of the arbitration proceedings in Case No. 06 of 2018.

2. The arbitral dispute has arisen out of the land acquired in District Mandi, H.P. for the purpose of construction of Four lane for which land has been acquired under the provisions of National Highways Act, 1956 and for which, compensation was awarded vide award dated 17.02.2017 by the Competent Authority.

[1] **Whether reporters of Local Papers may be allowed to see the judgment?**

High Court of H.P.

::: Downloaded on - 09/11/2026 16:08:00 :::CIS

3. Feeling aggrieved by the award passed by the competent authority, the petitioner preferred petition bearing Case No. 06 of 2018 before the Divisional Commissioner, Mandi Division at Mandi and non-adjudication of the arbitral proceedings within the statutory period has resulted in filing of the instant petition.

4. The Reference Petition against the Award was filed by the land owner in the year 2018. According to the petitioner, on account of unforeseen circumstances in the case, which has resulted into unnecessary delay in the announcement of the award by the learned Arbitrator, i.e. the Divisional Commissioner, Mandi, H.P.

5. This Court has gone through the material available on record carefully and finds that the proceedings have been conducted by the learned Arbitrator in violation of statutory provisions, as contained in the Arbitration and Conciliation Act, 1996. This Court is of the view that when a statute envisages an authority, be it an Arbitrator, to do a particular act in a particular manner and in a prescribed time schedule, then the onus is upon the said authority/Arbitrator to perform the task entrusted to it within the time schedule prescribed in the statute. The delay, if any, has to be bonafide and explainable. However, in the present petition even after completion of the pleadings, the learned Arbitrator has closed the proceedings since the time limit for arbitral proceedings to pass an award had elapsed.

High Court of H.P.

::: Downloaded on - 09/11/2026 16:08:00 :::CIS

6. In view of the averments as made in the petition, which are duly supported by an affidavit and in view of the submission made by the learned counsel for the petitioner, the petition is allowed and time is extended for completing the arbitral proceedings for passing the award by the learned Arbitrator on or before **06.02.2027**.

7. The petition is disposed of. Pending applications, if any, also stand disposed of.

(Romesh Verma)
Judge

6th August, 2026.
(vt)

High Court of H.P.

::: Downloaded on - 09/11/2026 16:08:00 :::CIS