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# भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय)

## National Highways Authority of India

(Ministry of Road Transport and Highways)

जी-5 एवं 6, सेक्टर-10, द्वारका, नई दिल्ली-110075

G-5 & 6, Sector-10, Dwarka, New Delhi-110075

No.NHAI/DR&A/Arb.(Misc.)/2011

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22<sup>nd</sup> November, 2013

### CIRCULAR

Sub: Filing of Appeals in Arbitration matters before the Courts of Law.

1. It has been observed that in some cases, there has been inordinate delay in filing the Appeals before the Court of Law, in Arbitration matters by the Project Directors. In order to obviate any likely delay in filing the appeals before the Court of Law, under Section 34 of the Arbitration & Conciliation Act, 1996, it has been decided by the Competent Authority that henceforth, Appeal challenging the Arbitral Awards shall be filed by the concerned Technical Division at H.Qs. in consultation with Legal & Arbitration Cell instead of Project Directors. For such cases, suitable Law Firms/Advocates would, thus, be engaged by appropriate directions from this HQs.

2. Accordingly, the concerned Technical Division in consultation with Legal & Arbitration Cell will, henceforth, examine/process the Arbitral Awards and if approved by the Competent Authority, may file the appeals before the Court of Law in consultation with Legal Division at HQs. rather than through the concerned Project Director. In case, any inputs, records or files etc are required, then, the concerned Project Director may be advised to provide complete assistance to the concerned Technical Division at HQ as well as the Legal & Arbitration Cell, enabling them to file the appeal.

3. This issues with the approval of Competent Authority.

(P.C. Grover)

Chief General Manager(Legal)

To:

All CGMs(Technical)

ALL Rs.

Copy for information to:

1. PS to Chairman

2. PS to Member(Admn.)/Member(F)

Member(PPP)/Member(Proj)/Member(Tech)

*for compliance.*

*B.S.B. 25/11/13*

*CGM(T) S C T*

*All CGMs with mem  
G.M(T) Raj  
Shri B.W. Sahay*

*DGM (Dei)  
C. Raj*

*MAR*