



2026:DHC:8168



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

CNR No. DLHC010938752025

+ **OMP (ENF.) (COMM.) 265/2025**

CDS INFRA PROJECTS LIMITED

.....Decree Holder

Through: **Mr. Aditya Shandilya,**
Advocate.

versus

NATIONAL HIGHWAY AUTHORITY OF INDIA

.....Judgement Debtor

Through: **Mr. Abhay Gupta, Mr. Ankur Saboo and Mr. Yugantar Singh Chauhan,** Advocates.

CORAM:

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

ORDER (ORAL)

% **22.09.2026**

1. It appears that the award sought to be imposed is not adequately stamped as per the Indian Stamp Act, 1899¹.

2. It is trite that an insufficiently stamped instrument cannot be enforced, however, the defect shall be cured in accordance with the Act.

3. Accordingly, the award is liable to be impounded under Section 33 of the Act for the payment of sufficient stamp duty along with penalty, if any.

¹ "Act" hereinafter



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4. At this stage, learned Counsel for the Decree Holder seeks leave to withdraw the present petition with liberty to file it again as and when the situation arises after satisfying on the aspect of stamp duty.
5. Leave and liberty is granted as aforesaid.
6. The petition is dismissed as withdrawn.

OM PRAKASH SHUKLA, J

SEPTEMBER 22, 2026/pa