



2026:DHC:7517



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**# **CNR No. DLHC010378242026**+ **O.M.P. (T) (COMM.) 89/2026 & I.A. 22051/2026****UNION OF INDIA**

.....Petitioner

Through: Mr. Abhishek Seth, SPC with
Ms. Uidaphi Lyngdoh,
Advocate.

versus

**M S RAMA CIVIL INDIA CONSTRUCTION PVT. LTD. &
ORS.**

.....Respondents

Through: Mr. Avinash Trivedi, Mr. Rahul
Aggarwal, Mr. Anurag
Kaushik, Mr. Jatin Arora and
Mr. Rishank Gola, Advocates.**CORAM:****HON'BLE MR. JUSTICE OM PRAKASH SHUKLA****ORDER(ORAL)**% **03.09.2026**

1. The present petition has been filed under Section 14(1)(a), 14(2) and 12(5) read with Section 15(2) of the Arbitration and Conciliation Act, 1996 seeking a declaration that Shri V.K. Malik, the nominee Arbitrator of Respondent No.1 is ineligible under law to continue as Arbitrator on the ground that he is appearing as a Counsel in some other arbitration proceedings against the CPWD.

2. At the outset, learned Counsel appearing for the Respondent submits, at bar, that Mr. Malik is no longer Counsel in that particular arbitration proceedings.



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3. In view of the statement made by learned Counsel for the Respondent, the cause does not survive. Learned Counsel for the Petitioner also admits that the cause does not survive.

4. In view of the statements made by learned Counsel appearing for both the parties, the present petition is accordingly disposed of as having become infructuous.

5. Pending application(s), if any, also stand disposed of.

OM PRAKASH SHUKLA, J

SEPTEMBER 3, 2026/gunn