



2026:DHC:8933



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**# **CNR No. DLHC010378502026**+ **O.M.P.(I) (COMM.) 342/2026****ATLANTA INFRA ASSETS LTD.**

.....Petitioner

Through: Dr. Amit George, Mr. Chirag
M. Shroff, Mr. Arnav Bhansali
and Ms. Rupam Jha, Advs.

versus

NATIONAL HIGHWAYS AUTHORITY OF INDIA & ANR.

.....Respondents

Through: Ms. Padmapriya, SC of NHAI
with Ms. Poornima Gupta,
Advocates for Respondent No.
1.**CORAM:****HON'BLE MR. JUSTICE OM PRAKASH SHUKLA****ORDER(ORAL)**

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08.10.2026

1. Both Counsel on instructions, submit that they are *ad idem* that the matter be referred to arbitration to adjudicate the dispute between the parties.

2. In these circumstances, this Court is of the view that, it would be appropriate to constitute the Arbitral Tribunal and leave it open to the learned Arbitral Tribunal to consider the Petitioners' prayer for interim measures under Section 17 of the Arbitration and Conciliation Act, 1996¹ and pass such orders as may be deemed appropriate, in accordance with law.

Signature Not Verified¹ "Act" hereinafterSigned By: ANUBHAW
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3. At this stage, learned Counsel appearing for the parties submitted that they both have nominated their respective Arbitrator.
4. Accordingly, it is made clear that both nominee Arbitrator shall nominate the presiding Arbitrator within a period of two weeks from today.
5. Upon constitution of the Arbitral Tribunal the present Section 9 application shall be treated as Section 17 application.
6. The learned Arbitral Tribunal shall proceed to the arbitration proceedings subject to furnishing the requisite disclosure as per Section 12(2) of the Act.
7. The learned Arbitral Tribunal is requested to decide the matter within a period of four weeks from the date of constitution of the learned Arbitrator.
8. The present petition is disposed of in above terms.

OM PRAKASH SHUKLA, J

OCTOBER 8, 2026/at