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

\# **CNR No. DLHC010365952026**

\+ O.M.P.(I) (COMM.) 325/2026

M/S VARAHA INFRA LIMITED .....Petitioner

Through: Mr. Sidhant Dwivedi, Mr. Aditya Acharya, Advs.

versus

NATIONAL HIGHWAYS AUTHORITY OF INDIA .....Respondent

Through: Mr. Abbay Gupta, Ms. Simran Goel, Advs.

CORAM:
HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT(ORAL)

% **14.10.2026**

1. Learned Counsel for the Petitioner submits that the Petitioner has already invoked the arbitration and initiated proceedings for appointment of learned Arbitrator.

2. In view of the aforesaid submission, this Court deems it appropriate to dispose of the present petition by granting liberty to the Petitioner to invoke arbitration and take necessary steps for commencement of arbitral proceedings in accordance with law within a period of 45 days from the date of this order.

3. It is further directed that upon constitution of the learned Arbitral Tribunal, the Petitioner shall be at liberty to approach the learned Arbitral Tribunal under Section 17 of the Act for seeking

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Signing Date:14.10.2026 20:09:46

appropriate interim measures, if so advised.

4. The interim protection granted by this Court *vide* order dated 11.08.2026, shall continue till the consideration of application under Section 17, subject to the Petitioner taking necessary steps for commencement of arbitral proceedings within the aforesaid period.

5. In the event of failure to do so, the interim protection shall stand vacated, without further reference to this Court.

6. It is clarified that this Court has not expressed any opinion on the merits of the disputes between the parties. All rights and contentions of the parties, including those relating to the maintainability of the claims and entitlement to interim relief, are expressly kept open for consideration by the appropriate forum in accordance with law.

7. With the aforesaid observations and directions, the present petition stands disposed of. Pending applications, if any, also stand disposed of.

OM PRAKASH SHUKLA, J

OCTOBER 14, 2026/at

Signature Not Verified
Signed By:ANUBHAV TRIPATHI
Signing Date:14.10.2026 20:09:46