



2026:DHC:9271



\$~61

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**# **CNR No. DLHC010304482026**+ **O.M.P.(I) (COMM.) 276/2026****M/S BHANU ASSOCIATES THROUGH PROPRIETOR**

.....Petitioner

Through: Mr. Sandeep Sharma Sr. Adv.
with Mr. Sanjeet Singh and Ms.
Kanchan Semwal, Advs.

versus

**NATIONAL HIGHWAYS AUTHORITY OF INDIA (NHAI)(
& ORS.**

.....Respondents

Through: Mr Arun Kumar Varma, Sr.
Adv. with Mr. Abhishek Kumar
and Mr. Shubham Singh, Advs.

CORAM:**HON'BLE MR. JUSTICE OM PRAKASH SHUKLA****ORDER(ORAL)**% **15.10.2026**

1. The present petition has been filed under Section 9 of the Arbitration and Conciliation Act, 1996¹ seeking immediate urgent reliefs.

2. Learned Senior Counsel appearing on behalf of the Respondents has raised preliminary objection that the agreed mechanism for appointment of an Arbitration under the SAROD Rules is not followed.

3. At this stage, learned Senior Counsel appearing on behalf of the

¹ "Act" hereinafter



2026:DHC:9271



Petitioner submits that, vide order dated 05.10.2026, the Petitioner has already withdrawn the petition filed under Section 11 and has invoked arbitration in accordance with the available mechanism, i.e., SAROD.

4. Let the arbitral tribunal be constituted within a period of three weeks from today.

5. Accordingly, the present petition is disposed of, with liberty to the Petitioner to conclude the process in accordance with the contractually agreed mechanism and the applicable SAROD Rules.

6. It is directed that the interim protection granted by this court shall continue for a further period of 30 days from the date of disposal of the present petition, subject to the Petitioner depositing a sum of Rs. 50 lakhs (as agreed by learned Counsel for the Petitioner), with the concerned authority of the respondent within the aforesaid period, so as to enable the Petitioner to avail itself of the appropriate remedy before the competent forum.

7. Upon expiry of the said period, the interim protection shall automatically cease to operate, unless extended or modified by the competent Arbitral Tribunal.

8. Upon constitution of the Arbitral Tribunal, this Section 9 petition shall be treated as Section 17 application. The learned Arbitral Tribunal is requested to decide the matter within four weeks from the date of constitution of the Arbitral Tribunal, uninfluenced by any observation made herein.



2026:DHC:9271



9. The Petitioner is also directed to continue depositing the rent as and when it falls due, for as long as the Petitioner remains in possession of the subject premises.

10. The arbitral tribunal is free to modify, vacate, or continue the relief granted by this court.

11. The present petition is disposed of in the above terms.

OM PRAKASH SHUKLA, J

OCTOBER 15, 2026/gunn