



2026:DHC:7933



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**# **CNR No. DLHC010565152024**+ **O.M.P.(I) (COMM.) 293/2024****DILIP BUILDCON LIMITED**

.....Petitioner

Through: Mr. Jayant Mehta, Sr. Adv.
with Ms. Srishti Kumar and Ms.
Mansvini Jain, Advs.

versus

**NATIONAL HIGHWAYS AUTHORITY OF INDIA NHAI &
ANR.**

.....Respondents

Through: Mr. Santosh Kumar, Sr. Adv.
with Mr. Ritik Dwivedi, Ms.
Dharitry Phookan and Mr.
Akash Kishore, Advs. for R-1.**CORAM:****HON'BLE MR. JUSTICE OM PRAKASH SHUKLA****ORDER(ORAL)**

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16.09.2026

1. Learned Senior Counsel appearing for Respondent No.1 submits that he has no objection if the dispute is referred to arbitration.

2. Learned Counsel for both the parties have informed this Court that Arbitrators have already been nominated by the parties. Let the Presiding Arbitrator be appointed by mutual consent of both the nominated Arbitrators within three weeks.

3. Upon constitution of the Arbitral Tribunal, the present petition shall be treated as an application under Section 17 of the Arbitration and Conciliation Act, 1996 and shall be placed before the learned Arbitral Tribunal for consideration in accordance with law.



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4. The interim arrangement directed by this Court *vide* order dated 02.09.2024 shall continue until the learned Arbitral Tribunal considers the matter and passes appropriate orders thereon.
5. It shall be open to the Arbitral Tribunal upon consideration of the matter on its own merits, to continue, modify, vary or vacate the aforesaid interim arrangement.
6. All rights and contentions of the parties are left open and nothing contained in this order or order dated 02.09.2024 shall be construed as an expression of opinion on the merits of the disputes.
7. Accordingly, the present petition along with pending application(s), if any, is disposed of.

OM PRAKASH SHUKLA, J

SEPTEMBER 16, 2026/gunn