



2026:DHC:8538



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
CNR No. DLHC010460562022
+ O.M.P. (COMM) 486/2022, I.A. 20708/2022 & I.A. 20709/2022

DIRECTOR OF CIVIL AVIATION & ANR.Petitioners
Through: Ms. Shivangi Dubey and Mr.
G.S. Chaturvedi, Advs.

versus

DWARIKA PROJECTRespondent
Through: Mr. Ravikesh K. Sinha, Adv.

CORAM:
HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT(ORAL)

% **28.09.2026**

1. The present petition is filed by the Petitioner under Section 34 of the Arbitration and Conciliation Act, 1996¹ challenging the Arbitral Award dated 28.04.2022², whereby the Claim No.1 was awarded partly in favour of the Respondent.

2. At this stage, learned Counsel for both the parties are *ad idem* that the impugned award can be set aside and can be referred to the arbitrator for fresh adjudication as far as Claim No.1 is concerned.

3. In view of the consensus between the parties, the impugned award is set aside.

¹ "Act" hereinafter

² "impugned award" hereinafter



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4. Accordingly, Mr. Abhishek Mishra, Advocate (Mob. 7738626441), is appointed as the learned Sole Arbitrator to adjudicate the disputes arising between the parties, who shall adjudicate the claim No. 1 afresh. The learned Sole Arbitrator shall enter upon the reference within a period of three weeks from today.

5. The learned Sole Arbitrator will proceed to the arbitration proceedings subject to furnishing requisite disclosures as required under Section 12(2) of the Act within three weeks of entering reference.

6. The arbitration shall be carried under the rules and aegis of Delhi International Arbitration Centre ("DIAC"). The learned Arbitrator shall be entitled to fees as per the Schedule of Fees maintained by the DIAC.

7. It shall be open to the parties to raise all pleas before the learned Sole Arbitrator who shall decide the same in accordance with law.

8. It is clarified that the observations made herein are only for the purpose of deciding the present petition. The learned Sole Arbitrator shall adjudicate the disputes independently and on their own merits, uninfluenced by any observations contained in the present order.

9. The Registry is directed to send a receipt of this order to Mr. Abhishek Mishra, learned Arbitrator through all permissible modes including email.



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10. Accordingly, the present petition is disposed of in the above terms. Pending application(s), if any, also stand disposed of.

OM PRAKASH SHUKLA, J

SEPTEMBER 28, 2026/gunn

Signature Not Verified

Signed By: ANUBHAW M.P. (COMM) 486/2022
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Signing Date: 30.09.2026
19:00:05

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