



2024:DHC:5331



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**+ **O.M.P.(I) (COMM.) 200/2024****M/S IRB AHMEDABAD VADODARA SUPER  
EXPRESS TOLLWAYS PVT. LTD.**

....Petitioner

Through: Mr. Davinder Singh, Sr.  
Advocate with Mr. Karan Bharihoke, Mr.  
Anirudh Bakhru, Ms. Devika Mohan, Mr.  
Ankit Banati, Mr. Param Bir Singh, Mr.  
Humraz Bir Singh and Ms. Tarini Khurana,  
Advocates, for IRB Ahmedabad Vadodara

versus

**NATIONAL HIGHWAYS  
AUTHORITY OF INDIA**

.....Respondent

Through: Mr. Parag Tripathi, Sr.  
Advocate with Mr. Ankur Mittal and Mr.  
Sanjivan Chakraborty, Advocates.

**CORAM:****HON'BLE MR. JUSTICE C. HARI SHANKAR****ORDER (ORAL)****18.07.2024**

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**O.M.P.(I) (COMM.) 200/2024**

1. The petitioner seeks pre-arbitral interim relief. It is submitted that the Arbitral Tribunal has already been constituted. Mr. Bharihoke, learned Counsel for the petitioner is agreeable to this petition being treated as a Section 17 of the Arbitration and Conciliation Act, 1996 ("the 1996 Act") application and listed before the learned Arbitral Tribunal for decision.

2. Mr. Tripathi, learned Senior Counsel for the respondent has no

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OMP (I) (Comm) 200/2024

Page 1 of 2

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2024:DHC:5331



objection.

3. Without expressing any opinion one way or the other on the merits of this petition, this petition is relegated for decision by the learned Arbitral Tribunal treating it as an application under Section 17 of the 1996 Act, in accordance with law.

4. The petition is disposed of accordingly.

5. The interim direction in para 10 of the order dated 5 June 2024 shall continue to remain in operation and shall abide by the decision of the learned Arbitral Tribunal, treating this petition as an application under Section 17 of the 1996 Act.

6. The petition is disposed of accordingly.

**I.A. 31698/2024 (interim relief)**

7. This application does not survive for consideration and stands disposed of.

**C.HARI SHANKAR, J**

**JULY 18, 2024**

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*Click here to check corrigendum, if any*

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