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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ O.M.P.(I) (COMM.) 257/2025 & I.A. 20954/2025
M/S EDAPALLY TO KODUNGALLUR HIGHWAY PRIVATE
LTD.Petitioner

Through: Mr Anil K Airi, Sr Adv. with Mr.
Ravi Krishan Chandna, Mr. Vishal
Tyagi, Mr. Harsh Gautam, Advs.

versus

NATIONAL HIGHWAY AUTHORITY OF INDIARespondent
Through: Mr. Santosh Kumar, Advocate
Standing Counsel, Ms. Dharitry
Phookan, Ms. Nidhi Rani, Advs.

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER
09.09.2025

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1. This is a petition filed under section 9 of the Arbitration and Conciliation Act, 1996 seeking the following reliefs against the respondent:

“a. Allow the Petition and an appropriate order may kindly be passed restraining the Respondent not to take any coercive action against the Petitioner or its Promoter including the debarring the Petitioner/Promoter from participating in any bid with MoRTH or its executing agency as referred to in letter dated 25.06.2025 issued by Respondent.

b. Allow the Petition restraining Respondent from taking any action qua show cause notice dated 25.06.2025 including levy of any penalty.”

2. This court vide order dated 11.07.2025 directed the respondent to maintain *status quo vis-à-vis* Show Cause Notice dated 25.06.2025.



3. Subsequently, *vide* order dated 29.07.2025, this Court further permitted the respondent to consider the reply to the said Show Cause Notice and any decision made by the respondent was to be brought to the Court in a sealed cover. Further, the interim order was to continue till next date of hearing.

4. Today when the matter was taken up for hearing, learned counsel for the respondent handed over the sealed cover which has been opened in the Court. The response of the respondent, dated 25.08.2025, has been perused and it states that the petitioner has been debarred for a period of one year, effective from 25.08.2025.

5. Mr. Airi, learned senior counsel for the petitioner, states that the response of the respondent is contrary to the law and is in violation of the contractual terms. Additionally, he also states that it does not capture the correct factual position and is against the circulars of the respondent.

6. He further states that the petitioner is in the process of challenging the same and therefore, the interim order be continued for a further period of 1 week from today.

7. Mr. Kumar, learned Standing Counsel for the respondent states that the interim order should not be continued since the debarment order has already been passed. However, he very fairly states that:

(a) the respondent shall not put the debarment order dated 25.08.2025 on the official website of the respondent for a period of 1 week from today.

(b) Additionally, in any tender of the respondent where the petitioner is bidding/has bid/ or wants to bid will neither be finalized for a period of 1 week nor the date will be closed for



submitting tender for a period of 1 week from today.

8. Taking his statement on record and binding the respondent to the same, the petition is disposed of.
9. Needless to add, nothing stated herein is adjudication on the merits of the matter and the petitioner is at liberty to initiate all appropriate action including filing of a petition under section 9 of the Arbitration and Conciliation Act, 1996 in accordance with law.
10. The documents handed over in the Court today is taken on record.

JASMEET SINGH, J

SEPTEMBER 9, 2025/AS