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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **ARB.P. 1578/2025**

M/S A. K. CONSTRUCTION COMPANY

.....Petitioner

Through: Ms. Amrita Panda and Mr. Ishan Puri,
Advocates.

versus

**NATIONAL HIGHWAYS AND INFRASTRUCTURE
DEVELOPMENT CORPORATION LIMITED**

.....Respondent

Through: Mr. Pradeep Kumar Verma,
Advocate.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

24.09.2025

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1. This petition is filed on behalf of the Petitioner under Section 11(6) of Arbitration and Conciliation Act, 1996 seeking appointment of a Sole Arbitrator to adjudicate the disputes between the parties.
2. Learned counsel appearing for the Respondent on advance copy of the petition takes an objection to the maintainability of the petition on the ground that the same is premature as Petitioner has not exhausted the remedy of settlement of disputes through the mechanism of conciliation as stipulated in Clause 26.2 of Contract Agreement dated 05.10.2020.
3. Learned counsel for the Petitioner, fairly and candidly on instructions, seeks to withdraw this petition to take recourse to pre-reference mechanism under Clause 26.2 of Contract Agreement dated 05.10.2020. She, however, submits that a time bound direction be given to the Conciliator proposed to



be appointed by the Respondent to conclude the proceedings expeditiously considering that the disputes pertain to a Contract executed in the year 2020.

4. Learned counsel for the Respondent, on instructions, assures the Court that on receipt of a request from the Petitioner, Conciliator will be appointed without any delay and the conciliation proceedings will be concluded as expeditiously as possible and not later than four weeks from the date of receipt of the request.

5. Accordingly, this petition is disposed of as withdrawn with liberty to the Petitioner to take recourse to conciliation mechanism envisaged in Clause 26.2 of Contract dated 05.10.2020. Needless to state that if for any reason, the disputes between the parties are not settled in conciliation, Petitioner will be at liberty to take recourse to arbitration as a dispute resolution mechanism. All rights and contentions of the parties are left open and it is made clear that this Court has not expressed any opinion on the merits of the case.

JYOTI SINGH, J

SEPTEMBER 24, 2025

S.Sharma