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

+ **O.M.P.(I) (COMM.) 16/2026**

**NCC LIMITED**

.....Petitioner

Through: Ms. Priya Kumar, Senior Advocate,  
Ms. Aanchal Mullick, Mr. Rishi  
Agrawala, Mr. Daksh Arora, Mr.  
Rajat Sinha, Advocates

versus

**DELHI METRO RAIL CORPORATION LIMITED** .....Respondent

Through: Mr. Srinivasan Ramaswamy,  
Advocate

**CORAM:**

**HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD**

**ORDER**

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**22.01.2026**

1. The instant Petition has been preferred under Section 9 of the Arbitration and Conciliation Act, 1996, wherein the Petitioner has prayed for the following interim reliefs for protection of the arbitral properties:-

*“(i) Stay the effect and operation of the Impugned Letters dated 19.12.2024 and 21.11.2025 issued by the Respondent;*

*(ii) Restrain the Respondent from taking any coercive or precipitative action in furtherance of the impugned letters dated 19.12.2024 and 21.11.2025 till the adjudication and disposal of the disputes;*

*(iii) Pass ad interim and interim ex parte reliefs in terms of prayer (i)-(ii) above;*

*(iv) Order costs of the Petition to be borne by the*



*Respondent; and*

*(v) Pass such further and other reliefs as a nature and circumstances of the case may require and this Hon'ble Court may deem fit."*

2. The Court suggested to the Parties that all disputes arising between them be adjudicated through arbitration and further proposed that the present petition filed under Section 9 of the Arbitration and Conciliation Act, 1996, be treated as an application under Section 17 thereof, to enable the learned Arbitrator to consider and decide the same expeditiously.
3. Learned Counsel for the Parties have accepted the suggestion given by this Court.
4. The Arbitration Clause stipulates that the Arbitral Tribunal shall consist of a panel of three members.
5. On instructions, learned Counsel for the Petitioner states that they have nominated Justice G. S. Sistani, former Judge, High Court of Delhi, as their Nominee Arbitrator. Further, the learned Counsel for the Respondent states that they have nominated Shri Deepak Sabhlok, Former Director Projects IRCON as their Nominee Arbitrator.
6. Accordingly, this Court is inclined to appoint Justice L. Nageshwara Rao, former Judge of the Supreme Court of India, (Mob: 9810035984) as the Presiding Arbitrator to adjudicate upon the disputes between the parties.
7. Since an Arbitrator is appointed, the learned Arbitrator is requested to consider the present Petition under Section 9 as one under Section 17 of the Arbitration and Conciliation Act, 1996, and adjudicate the matter as expeditiously as possible.
8. The fees of the learned Arbitrators shall be fixed as per the Fourth



Schedule of the Arbitration & Conciliation Act, 1996.

9. The learned Arbitrators are also requested to file the requisite disclosure under Section 12(2) of the Arbitration & Conciliation Act, 1996 within two weeks of entering into reference.

10. All rights and contentions of the parties in relation to the claims/counter-claims are kept open, to be decided by the learned Arbitrator Tribunal on their merits, in accordance with law.

11. The parties have waived the procedure of conciliation and, accordingly, all claims and counter-claims are referred to the Arbitral Tribunal.

12. Needless to say, nothing in this order shall be construed as an expression of this Court on the merits of the contentions of the parties.

13. The petition is disposed of along with pending application(s), if any.

**SUBRAMONIUM PRASAD, J**

**JANUARY 22, 2026**

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