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

+ W.P.(C) 1377/2025 and CM APPL. 6730/2025

**MONARCH SURVEYORS AND ENGINEERING CONSULTANTS
LTD**Petitioner

Through: Mr. Sanjeev Mahajan, Mr. Shahan
Ulla, Mr. Pranav Khanna, Mr.
Krishan Kumar, Advs.

versus

**THE NATIONAL HIGHWAYS AUTHORITY
OF INDIA & ORS.**Respondents

Through: Ms. Madhu Sweta, Mr. Yash Kapoor,
Advocates for R-1 and 2.
Mr. Mukul Singh (CGSC) with Ms.
Ira Singh; Ms Nandini Aggarwal ,
Advocates. for R-3.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **20.01.2026**

1. Learned counsel for the parties jointly submits that there exists an Arbitration Clause in the instant case.
2. Mr. Sanjeev Mahajan, learned counsel for the petitioner, on instructions, submits that the same has been invoked.
3. It appears that on 04.02.2025, the order of debarment has been stayed by the Court. In view of these circumstances, it would be appropriate to dispose of the instant petition with following direction :-

(i) The petitioner shall be entitled to file an application under 17 of



the Arbitration and Conciliation Act, 1996 ('the A & C Act'), once the Arbitral Tribunal is constituted.

- (ii) The Arbitral Tribunal shall decide the aforesaid aspect in accordance with law.
- (iii) Till the Arbitral Tribunal takes the view on an application under Section 17 of the A & C Act, the interim order dated 04.02.2025 shall remain in force.
- (iv) All rights and contentions of the parties stand reserved.

PURUSHAINDRA KUMAR KAURAV, J

JANUARY 20, 2026

aks/ap