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

+ **W.P.(C) 1555/2025 and CM APPL. 7635/2025**

R S INFRAPROJECTS PVT LTDPetitioner

Through: Mr. Sandeep Sethi, Sr. Adv with Mr.
S.K Maniktala, Mr. Udit Maniktala,
Mr. Viven Suhag, Mr. Sanchit Jain,
Advs.

versus

**POWER GRID CORPORATION OF
INDIA LTD**

.....Respondent

Through: Mr Rajiv Nayar, Sr. Adv with Mr
Somesh Chandra Jha, Adv.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **16.01.2026**

1. Mr. Rajiv Nayyar, learned senior counsel for the respondent at the threshold raises an objection regarding maintainability of the instant writ petition on the ground that the main dispute with respect to the termination itself is pending before the Arbitral Tribunal and one of the prayers in paragraph no. 179 of the statement of claims, relates to setting aside the debarment. Additionally, he also points out that the debarment as of now is over.

2. To this, Mr. Sandeep Sethi, learned senior counsel appearing for the petitioner places on record the copy of the proceedings dated 05.12.2025 of the Arbitral Tribunal and he submits that on an objection being raised by the



other side, he withdrew application filed under Section 17 of the Arbitration and Conciliation Act, 1996 (hereinafter the 'A & C Act') before the Tribunal and has decided to pursue the instant remedy. He, therefore, submits that the respondent cannot blow hot and cold at the same time.

3. He further submits that though the prayer for setting aside debarment is pending before the Arbitral Tribunal, however, stigma on the petitioner is adversely affecting the petitioner's future contract as the same has paralyzed the petitioner's business.

4. Mr. Sethi, therefore, submits that if the respondent has the objection regarding maintainability of the instant petition, they in all fairness should have not raised objection for adjudication of application under Section 17 of the A & C Act, before the Tribunal.

5. Having considered the aforesaid controversy for a while, the parties agree for the following arrangement.

(i) The petitioner's application under Section 17 of the A & C Act before the Arbitral Tribunal shall be decided on merits.

(ii) The rights and contentions with respect to the merit of the aforesaid application are left open to be dealt with by the Arbitral Tribunal.

6. With the aforesaid, the petition, along with pending application(s), stands disposed of.

PURUSHAINDR KUMAR KAURAV, J

JANUARY 16, 2026

aks/ap