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

+ O.M.P.(I) (COMM.) 75/2026, I.A. 4749/2026 (For Ad-Interim Stay) & I.A. 4750/2026 (For Permission to filed list of dates & Events Exceeding 5 pages)

WELKIN INFRACON PVT. LTD., FORMERLY KNOWN AS
WELKIN INDIA INCORPORATEPetitioner

Through: Mr. Sunil Dalal, Senior Advocate along with Ms. Dipika Prasad, Mr. Vikram Singh Dalal, Mr. Ankit Rana, Ms. Shipra Bali, Mr. Pankaj Kumar and Mr. Satwik Mitra, Advocates.

versus

NATIONAL HIGHWAYS AUTHORITY OF INDIA
THROUGH ITS CHAIRMAN & ANR.Respondents

Through: Mr. Santosh Kumar, Standing Counsel along with Mr. Devansh Malhotra, Advocate.

CORAM:
HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR

ORDER
20.02.2026

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1. The present petition has been filed under Section 9 of the Arbitration and Conciliation Act, 1996 seeking the following reliefs:

“.....

A. Pass an appropriate order thereby restraining Respondent No. 1 from invoking/encashing the bank guarantee/security of the Petitioner deposited with the Respondent No. 2;

B. Pass an appropriate order thereby restraining Respondent No.2 from releasing any amount in favour of the Respondent No.1 and against the Petitioner.;

C. Pass an appropriate order thereby restraining the Respondent No.1 from giving effect to Termination notice dated 16/02/2026 which agreement was unilaterally terminated by the Respondent No.1;



Pass such other and further order(s) as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. Learned counsel appearing on behalf of the parties are ad idem that the matter may be referred to arbitration. Learned counsel for the Respondent submits that Clause 26 of the Engineering, Procurement & Construction Agreement dated 15.03.2024 envisages arbitration to be conducted in accordance with the Rules of the Society for Affordable Redressal of Disputes (“SAROD”).
3. Learned counsel appearing on behalf of the parties further submit that, in terms of the dispute resolution clause, each party is required to nominate its Arbitrator, and the nominated Arbitrators shall thereafter, by consensus, appoint the Presiding Arbitrator.
4. Learned counsel appearing on behalf of the parties, on instructions, submit that they will ensure that necessary procedure is carried out within a period of two (2) weeks from today.
5. In view thereof, the reliefs as sought in the present Petition may be canvassed by the Petitioner before the learned Arbitral Tribunal, as and when it enters upon the reference.
6. In view thereof, the present petition along with pending applications stands disposed of in the aforesaid terms.

HARISH VAIDYANATHAN SHANKAR, J.
FEBRUARY 20, 2026/tk/kr