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

+ **ARB.P. 345/2026 & I.A. 4960/2026**

M/S C. GOPAL REDDY AND COPetitioner

Through: **Ms. Diksha Priya and Ms. Anshula
Grover, Advs.**

versus

**NATIONAL HIGHWAYS INFRASTRUCTURE DEVELOPMENT
CORPORATION LTD**Respondent

Through: **Mr. Abinav Mukerji, Sr. Adv with Mr.
Anshul Rai, Ms. Mallika Ranjan, Ms.
Bihu Sharma, Ms. Archita Nigam and
Ms. Khusboo Hora, Advs.**

CORAM:

HON'BLE MR. JUSTICE AVNEESH JHINGAN

ORDER

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20.05.2026

1. The present petition is filed under Section 11 of the Arbitration and Conciliation Act, 1996 (for short 'the Act') for appointment of an arbitrator.
2. The brief facts are that the petitioner and the respondent entered into a Contract Agreement dated 17.08.2021 for "Construction of 2 Laning with Hard Shoulder of Peren–Dimapur Section on NH-129A from Design Km 126.775 to Km 146.205 in the State of Nagaland on EPC mode (Package-II) under NH(O)-TSP." On 19.07.2021, the respondent issued Letter of Acceptance. Disputes arose between the parties to the *lis*. Aggrieved by the termination of the contract, the petitioner filed a petition under Section 9 of the Act and this Court vide order dated 10.04.2023 suggested resolution



through arbitration.

2.1 The petitioner on 05.01.2026 issued a notice under Section 21 of the Act invoking arbitration under Article 26.3 of the Contract Agreement. On failure to do the needful, the present petition was filed.

3. Learned counsel for the respondents on instructions has no objection for referring the matter to arbitration.

4. Learned counsel for the parties contends that in a similar matter Hon'ble Mr. Justice Sharad Arvind Bodbe, Former Chief Justice of India has already been appointed as the Arbitrator and a request is being made to appoint him in the present matter as well.

5. Accordingly, the petition is allowed by appointing Hon'ble Mr. Justice Sharad Arvind Bodbe, Former Chief Justice of India (Mobile No. 9871234803) as the sole arbitrator for adjudication of the disputes which have arisen between the parties.

6. The fees of the learned Arbitrator will be governed by Schedule IV of the Act. Before entering upon reference, the learned Arbitrator will comply with Section 12 of the Act.

7. It is made clear that since this Court has not expressed any opinion on the merits of the rival claims of the parties, it will be open for the parties to file their respective claims/counter claims before the learned Arbitrator which will be considered in accordance with law.

8. A copy of this order be forwarded to the learned Arbitrator for information.

AVNEESH JHINGAN, J

MAY 20, 2026/Pa