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IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 18.05.2026

+ O.M.P. (T) (COMM.) 54/2026

NKG INFRASTRUCTURE LIMITED

.....Petitioner

Through: Mr. Pradeep Chhindra, Mr.
Parth Dhawan and Ms. Pratibha
Rathi, Advocates

versus

UNION OF INDIA

.....Respondent

Through: Mr. Abhishek Gupta, CGSC
with Mr. Kumar Kartikeya, Mr.
Chanakya Kene and Mr.
Dhananjay Singh, Advocates.

CORAM:

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

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JUDGEMENT (ORAL)

1. The present petition has been filed under Section 14 read with Section 15 of the Arbitration and Conciliation Act, 1996 [**“Act”**], seeking the appointment of a substitute Arbitrator in substitution of the current learned Arbitrator.

2. Learned counsel appearing on behalf of the parties are *ad idem* that the learned Arbitrator has not been conducting the proceedings in a fair manner. They are also *ad idem* that orders have been passed behind the back of the parties, and in fact, the progress of the arbitral proceeding is woefully inadequate and falls short of the requirement and mandate of the Act.

Signature Not Verified

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By: HARVINDER KAUR
BHATIA
Signing Date: 19.05.2026
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3. Since learned counsel appearing on behalf of the parties are *ad idem* that there is an imminent and urgent need for the learned Arbitrator to be substituted, this Court is of the considered opinion that it will be necessary to ensure that the said learned Arbitrator is substituted in terms of the provisions of the Act.

4. Accordingly, this Court requests **Mr. Hanif Mohammad, Advocate (Mobile No.9818238292)**, to enter into the reference as the learned substitute Arbitrator to adjudicate the disputes as between the parties.

5. The Registry is directed to send a receipt of this order to the learned Arbitrator through all permissible modes, including through e-mail.

6. All rights and contentions of the parties are kept open, to be decided by the learned Arbitrator on their merits, in accordance with law.

7. Needless to say, nothing in this order shall be construed as an expression of opinion of this Court on the merits of the controversy between the parties.

8. Accordingly, the present Petition, along with pending application(s), if any, stands disposed of in the above terms.

HARISH VAIDYANATHAN SHANKAR, J.
MAY 18, 2026/nd/va/m