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

+ **W.P.(C) 8052/2026**

DILIP BUILDCON LIMITED – VARAHA INFRA LIMITED JV

.....Petitioner

Through: Mr. Sandeep Sethi, Senior Advocate
with Mr. Harish Malik, Mr. Krisna
Gambhir, Ms. Shreya Sethi, Mr.
Kushal Bhattacharjee and Mr. Deepak
Gupta, Advocates.

versus

NATIONAL HIGHWAYS AUTHORITY OF INDIA & ORS..

.....Respondents

Through: Ms. Gunjan Sinha Jain and Mr.
Raghav Sharma, Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **03.06.2026**

1. This hearing has been done through hybrid mode.
2. The present petition under Article 226 of the Constitution of India, 1950, seeks the following prayers: -

“A. Issue a Writ of Certiorari or Mandamus or any other appropriate writ, order or direction quashing and setting aside the Impugned Letter dated 26.05.2026 bearing No. 22053/NHAI/AMB/A-K/NH-152/895 to the extent it threatens initiation of proceedings for debarment/blacklisting of the Petitioner;

B. Issue a Writ of Mandamus or any other appropriate writ, order, or direction, restraining the Respondents, their officers, servants, agents, and all persons claiming through or under them, from initiating, continuing, or giving effect to any proceedings for debarment/blacklisting of the Petitioner in connection with or arising out



of the subject EPC Agreement, without first issuing a show cause notice, affording a personal hearing, and following due procedure as prescribed under applicable NHAI policy and applicable law;

C. Issue a writ of mandamus or any other appropriate writ, order or direction restraining the Respondents from taking any coercive action against the Petitioner, including recovery proceedings to realise the purported Risk and Cost amount of ₹12,89,35,480/- or any part thereof or any damages, pending resolution of the underlying contractual dispute through arbitration under Clause 26.3 of the EPC Agreement;

D. Any other Order(s) that this Hon'ble Court may deem fit in the facts and circumstances of the present case.”

3. Learned counsel for the respondents, who appears on an advance notice, submits that this Court lacks territorial jurisdiction with regard to the reliefs prayed for in the present petition. It is further submitted that no show-cause notice has yet been issued to the petitioner with respect to the blacklisting. It is further submitted that any proceedings with regard to the same shall be done in accordance with law including issuing of a show-cause notice.

4. *Per contra*, learned Senior Counsel for the petitioner refutes the aforesaid contention with regard to territorial jurisdiction made by learned counsel for the respondents.

5. In view of the statement made by learned counsel for the respondents with respect to the show cause notice, learned Senior Counsel for the petitioner, without prejudice to the rights and contentions of the latter, seeks leave to withdraw the present petition with liberty to file afresh, in case, so required.

6. Leave and liberty granted.



7. The present petition is dismissed as withdrawn and disposed of accordingly.
8. Pending application(s), if any, also stand disposed of accordingly.
9. Order be uploaded on the website of this Court, *forthwith*.

**AMIT SHARMA, J
(VACATION JUDGE)**

JUNE 03, 2026/sn/ns