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

+ **ARB.P. 1181/2026**

**KONKAN RAILWAY CORPORATION LTD THROUGH
ADDITIONAL CPM FABRICATION AND INSPECTION**

.....Petitioner

Through: Mr. Nakul Mohta and Ms. Saijal
Arora, Advocates

versus

NORTH-EASTERN RAILWAYRespondent

Through: Mr. Gaurav Mishra CGSC, Mr.
Vanshil Pali (GP), Ms. Priyanka
Mishra, Ms. Jyoti Tiwari Advs

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **20.07.2026**

I.A. 18688/2026 (Exemption)

Allowed, subject to all just exceptions.

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1. Learned Counsel for the Respondent draws attention to Clause 24.1.1 which states that all disputes and differences arising out of the contract, shall, in the first instance, be resolved through conciliation. Upon the failure of the conciliation process, the dispute shall be referred to a Dispute Adjudication Board in terms of Clause 24.2.1, and only upon failure of the said mechanism can the disputes be referred to arbitration.
2. Learned Counsel for the Respondent further states that the procedure



as contemplated under the Dispute Resolution Clause has not been complied with and therefore, the present Petition is premature in nature.

3. Learned Counsel for the Petitioner, therefore, seeks permission to withdraw the present Petition, in order to follow the procedure as prescribed under Article 24 of the Engineering, Procurement and Construction Agreement.

4. Leave and liberty granted.

5. It is always open for the Petitioner to approach this Court in case the aforementioned procedure is not successful.

6. The Petition is disposed of as withdrawn.

SUBRAMONIUM PRASAD, J

JULY 20, 2026

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