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

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+ **ARB.P. 1813/2025**

M/S A.K. CONSTRUCTION COMPANYPetitioner
Through:

versus

NATIONAL HIGHWAYS AND INFRASTRUCTURE
DEVELOPMENT CORPORATION LIMITEDRespondent
Through: Mr. Avneesh Garg, Mr. Utkarsh
Sharma and Ms. Iptisha, Advocates.

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+ **O.M.P.(I) (COMM.) 337/2025 with I.A. 20288/2025 and I.A.
24054/2025**

M/S A. K. CONSTRUCTION COMPANYPetitioner
Through:

versus

NATIONAL HIGHWAYS AND INFRASTRUCTURE
DEVELOPMENT CORPORATION LIMITEDRespondent
Through: Mr. Avneesh Garg, Mr. Utkarsh
Sharma and Ms. Iptisha, Advocates.

**CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL**

**ORDER
10.12.2025**

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ARB.P. 1813/2025

1. Counsel for the respondent submits that even the 2nd Tier Dispute Resolution Mechanism provided under Clause 26.2 of the Engineering



Procurement and Construction Agreement dated 5th October, 2020, *i.e.*, meeting of the Chairman of the petitioner and the respondent, has not been successful.

2. Counsel for the respondent submits that the dispute shall now be referred for conciliation to the Conciliation Committee of Independent Experts set up by the respondent.

3. Counsel for the respondent submits that they are in the process of setting up the said Committee and the same shall be set up within two (2) weeks from today. The respondent shall ensure that the Conciliation Committee takes the decision before the next date of hearing.

4. At request of counsel for the respondent, re-notify on 16th January, 2026.

O.M.P.(I) (COMM.) 337/2025

5. Counsel for the respondent submits that after the interim order was passed by this Court on 20th August, 2025, the petitioner is not performing its maintenance obligations at the site.

6. It is made clear to counsel for the petitioner that in the event of failure of the petitioner to perform its maintenance obligations, this Court would be inclined to vacate the interim order passed by it on 20th August, 2025.

7. List on 16th January, 2026.

AMIT BANSAL, J

DECEMBER 10, 2025

Vivek/-