

ITEM NO.39

COURT NO.7

SECTION XIV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G SMiscellaneous Application No. 1407/2026 in SLP(C) No. 2840/2026

ROADWAY SOLUTIONS INDIA INFRA LTD.

Petitioner(s)

VERSUS

NATIONAL HIGHWAYS AUTHORITY OF INDIA

Respondent(s)

(IA No. 125108/2026 - APPROPRIATE ORDERS/DIRECTIONS)

WITH

MA 1409/2026 in SLP(C) No. 2840/2026 (XIV)

(FOR ADMISSION)

Date : 05-05-2026 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) :

Mr. Tushar Mehta, Solicitor General
Mr. Ankur Mittal, Adv.
Mr. Abhay Gupta, Adv.
Ms. Paromita Majumdar, AOR
Mr. Ankur Saboo, Adv.
Ms. Ipshita Dutta, Adv.
Mr. Aviraj Pandey, Adv.
Ms. Rabaica Jaiswal, Adv.
Ms. Simran Goel, Adv.
Mr. Hrithik Saxena, Adv.
Mr. Yugantir Singh Chauhan, Adv.
Ms. Meenakshi Vimal, Adv.
Mr. Akash Bhatt, Adv.
Ms. Riya Sagar, Adv.
Mr. Utkarsh, Adv.Mr. Chandra Prakash, AOR
Dr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Balbir Singh, Sr. Adv.
Mr. Avishkar Singhvi, Adv.
Mr. Naman Tandan, Adv.

For Respondent(s) :

Dr. A.M. Singhvi, Sr. Adv
Mr. Balbir Singh, Sr. Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. These applications are at the instance of the National Highways Authority of India in the wake of some unpleasant developments that have taken place in the course of the arbitration proceedings between the parties before Hon'ble Mr. Justice L. Nageswara Rao.
2. By our Order dated 2nd February, 2026, we had appointed Hon'ble Mr. Justice L. Nageswara Rao, former Judge of this Court, to act as the presiding Arbitrator. We had clarified in our order dated 2nd February, 2026 that all grievances of the parties may be agitated before the Arbitrator and we also clarified that nothing would survive in the Section 9 Petition under the Arbitration and Conciliation Act, 1996 pending before the High Court.
3. It appears that the arbitration proceedings commenced before Hon'ble Mr. Justice L. Nageswara Rao. While the proceedings were ongoing, the learned Arbitrator was forced under certain unpleasant circumstances to address an email to all the parties concerned.
4. In such circumstances, the NHAI wants this Court to take appropriate action against the respondent - original claimant namely Mr. Ameet Gadhoke.
5. We heard Mr. Tushar Mehta, the learned Solicitor General appearing for the NHAI, Dr. A.M. Singhvi and Mr. Balbir Singh, the learned Senior Counsel appearing for the claimant respectively.
6. Mr. Mehta would submit that what transpired before the learned Arbitrator is something very serious and the act on the part of Mr. Ameet Gadhoke needs to be deprecated. Once an Arbitrator is appointed by this Court, parties should proceed before the learned Arbitrator without casting any aspersions on the Arbitrator.
7. On the other hand, Dr. Singhvi and Mr. Balbir Singh, the learned Senior counsel submitted that the email of the learned Arbitrator is undoubtedly something very disturbing. They very fairly submitted that their client ought not to have indulged into casting any unnecessary aspersions on the learned Arbitrator.

8. However, both the learned Senior counsel have manifold contentions to raise to make us understand in what circumstances all this happened. Dr. Singhvi would submit that his client has tendered an unconditional apology and the same may be accepted. We also inquired with Dr. Singhvi about the educational qualifications of Mr. Ameet Gadhoke. We are informed that he is a Civil Engineer.

9. We strongly deprecate the act on the part of Mr. Ameet Gadhoke. He is not an illiterate person. He is a Civil Engineer. He should have realized what he was doing. He may have many explanations to offer but we are not ready to accept any of such explanations. We firmly believe that we should not take this incident lightly. A strong message should go to one and all that proceedings cannot be sabotaged by casting unnecessary aspersions on the Arbitrator and later in point of time to come forward before the Court with an apology. Both the learned Senior Counsel submitted that Justice L. Nageswara Rao may be requested to continue with the arbitration proceedings. However, we would not like to cause any further embarrassment to the learned Arbitrator Justice L. Nageswara Rao.

10. We are left with no other option but to now appoint any other learned Judge to act as Presiding Arbitrator.

11. In view of the aforesaid, we request Hon'ble Mr. Justice R.M. Lodha, former Chief Justice of this Court, to act as Presiding Arbitrator between the parties.

12. The fees of the learned Presiding Arbitrator and other modalities shall be fixed in consultation with the parties.

13. Parties shall get in touch with the learned Arbitrator at the earliest.

14. Registry shall inform about this Order to Hon'ble Justice R.M. Lodha at the earliest.

15. We would like to impose costs on Mr. Ameet Gadhoke for his act.

16. We direct Mr. Ameet Gadhoke to deposit an amount of Rs.5,00,000/- (Rupees Five Lakh Only) with the National Defence Fund within a period of one week from today.

17. With the aforesaid, the Miscellaneous Applications and Interlocutory Applications stand disposed of.

18. Post this matter on 15th May, 2026 on top of the board to report compliance of the deposit of costs of Rs.5,00,000/-.

(VISHAL ANAND)
DEPUTY REGISTRAR

(POOJA SHARMA)
COURT MASTER (NSH)