



Serial No.01
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Review Pet. No. 22 of 2025

Date of Decision: 18.11.2025

M/s. Hariom Projects Pvt. Ltd.,
A company incorporated under the Companies Act, 1956,
having its registered office at B-301, Shri. Balaji Residency,
behind Sangath Silver Apartment,
Sabarmati – Gandhinagar Highway,
Motera, Ahmedabad 380005 and engaged in the business of
Infrastructure development and civil construction works,
Through its Director, Shree Anil H. Sangtani.

...Petitioner/ Applicant

-Versus-

1. Union of India
Through the Secretary,
Ministry of Defence, South Block,
New Delhi – 110011.
2. Military Engineering Services,
Through Chief Engineer, Shillong Zone,
Spread Eagle Falls, Shillong 793001.

...Respondents

Coram:

Hon'ble Mr. Justice H.S.Thangkhiew, Judge

Appearance:

For the Petitioner/Applicant(s) : Mr. S.Dewani, Adv.
Ms. A.Kharshiing, Adv.

For the Respondent(s) : Dr. N.Mozika, DSGI with
Ms. C.Jala, Adv.



- | | | |
|-----|---|--------|
| i) | Whether approved for reporting in Law journals etc: | Yes/No |
| ii) | Whether approved for publication in press: | Yes/No |
-

JUDGMENT AND ORDER (ORAL)

1. This application for review has been filed by the petitioner in Arb. Case. No. 6 of 2025, on the ground that an error had occurred as it has been erroneously recorded that the petitioner's consent to appointment of a non-technical arbitrator has been received.

2. Mr. S.Dewani, learned counsel for the petitioner, has relied on a judgment of the Supreme Court in the case of ***Municipal Corporation of Greater Mumbai and Anr. vrs. Pratibha Industries Limited & Ors.*** reported in ***(2019) 3 SCC 203***, where he submits that the Court is vested with enough powers under Article 215 of the Constitution of India, being Courts of record to review its own judgment. Learned counsel has also relied upon another judgment of the Bombay High Court in the case of ***Shailesh Ranka & Ors. vrs. Windsor Machines Limited & Anr.*** reported in ***2024 SCC Online Bom 3540***, which has placed reliance on the former judgment cited above with regard to the power of review.



3. Dr. N.Mozika, learned DSGI assisted by Ms. C.Jala, learned counsel who has entered appearance today itself on behalf of the respondents, has firstly submitted that there is no error apparent on the face of the record and further also submits that unless the power of review is expressly conferred under the Act itself, the general power of review that may be available to the High Court and other jurisdictions cannot be extended to review earlier orders. In the instant case, it is noted that review sought only on the ground aforementioned i.e., non-availability of consent.

4. This Court has perused the judgments cited by the petitioner. It is seen that in the case of *Municipal Corporation of Greater Mumbai and Anr.* (supra), the matter concerns a contract where there was no arbitration clause, and similarly, in the other judgment, concerns the prior and post amendment of Section 11. The two judgments therefore, have no application to the case of the petitioner. Also examined the decisions referred to by the learned DSGI, namely (i) *Sanjay Gupta vrs. Kerala State Industrial Development Corporation Ltd. 2009 SCC Online Ker 6361: 2009 Supp (2) Arb LR 17: (2009) 4 KLT 147*, (ii) *Diamond Entertainment Technologies Private Limited & Ors. vrs. Religare Finvest Limited through its Authorized Officer, 2023 SCC Online Del 95* and (iii) *Sarada Construction vrs. Bhupendra Pramanik & Ors. 2023 SCC Online Cal 342: AIR 2023 Cal*



115, wherein it has been held that the review is not maintainable under the Arbitration & Conciliation Act, 1996.

5. This Court, after careful consideration therefore, and the petitioner not being able to make out a case of any error apparent on the face of the record, the review is rejected and accordingly dismissed.

Judge