



Rev.Appln.No. 36 of 2

C.M.P.No.30157 of 2025
in REV. APPL.No. 36 of 2025

M.S.RAMESH, J.
and
R.SAKTHIVEL, J.

(Order of the Court was made by **M.S.Ramesh, J.**)

Having been satisfied with the reasons stated in the accompanying affidavit filed in support of this modification petition, this petition stands allowed.

2.Registry is directed to modify the date as 30.04.2014 instead of 30.02.2014 in the extract of Paragraph No.2 of the order passed in Review Application No.36 of 2025, dated 19.06.2025, and issue a corrected order copy to the parties.

[M.S.R, J.] [R.S.V, J.]

17.12.2025

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Note: Office to issue order copy on
18.12.2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

Review Application No. 36 of 2025

In

O.S.A.No. 60 of 2023

M.A.K.Earth Movers
A Partnership Firm rep. By its Partner
Kulothungan,
Old No.17, New No.78, Jaganathan Street,
Agaram, Chennai – 600 082.

Also at No.10, 6th Street, Sivarajapuram,
Chennai – 600 082.

... Appellant

Vs.

L & T Finance Limited,
Registered Office at L & T House,
Ballard Estate, Mumbai ? 400 001.

Corporate Office at
No.3~B, Lakshmi Towers,
C~25, G Block, Bandra~Kurla Complex,
Bandra (E), Mumbai ? 400 051.

Also at
L & T Finance Limited
rep. By its Zonal Legal Manager
C.Balasubramanian,
Monteith Place, 47, Montieth Road,
Chennai – 600 008.

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2.A.Santhosh Kumar

3.A.Sasikumar

4.Bharat B.Jain,
Sole Arbitrator,
Ramjishivnarayan Building,
RM No.5, 2nd Floor, Vijay Mansion,
Near Canara Bank, Kurla (W),
Mumbai ? 400 070.

... Respondents

Prayer: Review Application filed under Order XLVII, Rule 1 of C.P.C r/w Section 114 of C.P.C., to review the order dated 29.02.2024 made in O.S.A.No.60 of 2023.

For Appellant : Mr.Kulothungam, Party-in-Person

ORDER

(Order of the Court was made by R.SUBRAMANIAN, J.)

There is no ground for review. We had dismissed the appeal on the ground that the conclusion of the learned single Judge that the review petition filed under Section 34 of the Arbitration and Conciliation Act is clearly barred by time.

2. In para 7 of the order impugned in the appeal, the learned Single



Judge had observed as follows:-

“7. As a matter of fact, the record shows, that the award impugned in served the present proceedings was As would be evident The on Mr. Kulothungan. from the cause title, the present proceedings have been initiated by the petitioner, via Mr. Kulöthungan. acknowledgement due cards, show receipt by the partner i.e., respondent No.2 and guarantor of the petitioner i.e. respondent No.3, on 20.05.2013. Furthermore, the record shows that the petitioner, the firm itself had also received the award on 20.05.2013. Section 34 petition has been filed, admittedly, on 30.022014. Clearly, the petition is way beyond time and therefore, cannot be entertained. This Court has no power to condone the delay. (See Union of India v. Popular Construction Co., (2001 (8) SCC 470)).”

3. In the light of such factual findings, we do not think, a case for review can be entertained. Hence, this Review Application is dismissed. No costs.

(R.S.M., J.) (R.S.V., J.)
19.06.2025

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Index: Yes / No
Speaking / Non-speaking order
Neutral Citation : Yes / No

R.SUBRAMANIAN, J.
and



WEB COPY



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R.SAKTHIVEL, J.

KKN

Review Application No. 36 of 2025

19.06.2025