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

REVIEW PET. 592/2025

IN

+ ARB.P. 1565/2025

DHANI LOANS AND SERVICES LTD

.....Petitioner

Through: Mr. Ankit Banati, Mr. Vikas Maini &
Mr. Deepak Mahajan, Advocates.

versus

JASWINDER SINGH KOHLI PROPRIETOR

OF SONY ENTERPRISES & ORS.

.....Respondents

Through: Counsel (*appearance not given*).

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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01.12.2025

REVIEW PET. 592/2025

1. The present petition under Section 114 of the Code of Civil Procedure, 1908, has been filed on behalf of the applicant/ respondents, seeking review of the Order passed by this Court on 10th November, 2025.
2. In paragraph no. 6 of the application, it is admitted by the applicants/ respondents that they were duly served. However, the applicants/ respondents did not appear as they had lost the paper-book of the matter.
3. That cannot be a ground for not appearing despite service.
4. Mr. Banati, counsel appearing on behalf of the non-applicant/ petitioner submits that the present review petition is not maintainable against an order passed under Section 11 of the Arbitration and Conciliation Act,

ARB.P. 1565/2025

Page 1 of 2



1996, appointing an Arbitrator.

5. In this regard, reliance is placed on the judgment of this Court in ***Diamond Entertainment Technologies v. Religare Finvest***, 2023 SCC OnLine Del 95. Paragraph no. 22 of the said judgment is set out below:

“22. By way of the present review petition, the petitioner is seeking review of the Order vide which an application under Section 11 of the Arbitration & Conciliation Act, 1996 has been allowed. Since the Order made under Section 11 of the Act is in exercise of the statutory powers as defined under the Arbitration & Conciliation Act, any review of the same can be only within the parameters of the Statute. Since, there is no provision of review in the Arbitration & Conciliation Act, this Court finds itself without any jurisdiction to review the present Order.”

6. In any event, the ground for review raised by the respondents is that the claims raised by the petitioner in the present petition are time-barred.

7. In my view the objection with regard to limitation can be taken before the Arbitrator.

8. To be noted, there was an earlier arbitration proceeding between the parties which resulted in an award in favour of the petitioner herein, however, the said award was set aside in a petition filed under Section 34 of the Arbitration and Conciliation Act, 1996, by the respondent on the ground that the Sole Arbitrator was unilaterally appointed by the petitioner.

9. In view thereof, the present application is disposed of, leaving it open for the respondents to raise objections with regard to limitation before the Arbitrator.

AMIT BANSAL, J

DECEMBER 1, 2025
at

ARB.P. 1565/2025

Page 2 of 2