

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

REVIEW PETITION NO. 2 OF 2026

IN

IN ARBITRATION PETITION NO. 41 OF 2019

Smt Geeta Anil Raut

...Petitioner

Versus

Bhupinder Ladula Jain

...Respondent

Mr. Shailesh M. Ahire, *for the Petitioner.*

Mr. Shamanah Kazi, *a/w Adv. Anjana Sharama (through VC) for Respondents.*

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE: MAY 7, 2026

ORDER :

1. The sole ground pressed in this Review Petition is that when a Petition under Section 9 of the Arbitration and Conciliation Act, 1996 (“***the Act***”) has already been filed in the District Court, the Section 11 Application in the same matter ought to have been filed in the District Court as well, in view of the operation of Section 42 of the Act.

2. The aforesaid submission is entirely misconceived. The jurisdiction under Section 11 is vested solely and explicitly in the Chief Justice of the High

Court, or in such persons to whom the Chief Justice has delegated the power under Section 11.

3. It is settled law that the District Court has no jurisdiction under Section 11 and therefore, Section 42 will have no operation when it comes to Section 11 of the Act. This is in fact the position declared in the case of *M/s Ravi Ranjan Developers Pvt. Ltd. v. Aditya Kumar Chatterjee*¹ which is itself one of the 15 judgments sought to be relied upon to canvass that in terms of Section 42, the Section 11 Petition too should have been filed before the District Court.

4. In these circumstances, the Review Petition stands ***finally disposed of***.

5. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]

¹ M/s Ravi Ranjan Developers Pvt. Ltd. v. Aditya Kumar Chatterjee – 2022 SCC Online SC 568