



2025:DHC:4626-DB



\$~32

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

*Date of decision: 29.05.2025*

+ EFA(COMM) 6/2025

SHELLZ INDIA PVT. LTD.

.....APPELLANT

Through: Mr. Sameer Rohtagi, Mr. Namit  
Suri, Ms. Surabhi Sinha and  
Mr. Kartikey Singh, Adv.

versus

M/S CHAWLA PRINTERS

.....RESPONDENT

Through: Mr. Aditya, Mr. Anil Kumar  
Yadav and Mr. Afsar, Adv.

**CORAM:**

**HON'BLE MR. JUSTICE NAVIN CHAWLA**

**HON'BLE MS. JUSTICE RENU BHATNAGAR**

**NAVIN CHAWLA, J. (ORAL)**

**CM APPL. 34935/2025 (Exemption)**

1. Allowed, subject to all just exceptions.

**EFA(COMM) 6/2025 and CM APPL. 34934/2025**

2. This appeal has been filed challenging the Order dated 16.04.2025 passed by the learned District Judge, Commercial Court-02, Rohini Courts, North District, Delhi (hereinafter referred to as, 'Executing Court') in Execution (Comm.) No. 101/2024, titled *M/s Chawla Printers v. M/s Shellz India Pvt. Ltd.*, dismissing the objections filed by the appellant to the enforcement of the Arbitral Award dated 20.03.2024 passed by the learned Sole Arbitrator.

3. By the Impugned Order, the learned Executing Court has



dismissed the objections filed by the appellant herein, solely on the ground that the objections filed by the appellant by way of an application filed under Section 34 of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as, 'A&C Act') had already been dismissed on 18.03.2025.

4. The learned counsel for the appellant, placing reliance on the Judgment of the Supreme Court in *Electrosteel Steel Limited (M/s ESL Steel Limited) v. Ispat Carrier Private Limited*, 2025 SCC OnLine SC 829, submits that the objections to the enforcement of an Arbitral Award under Section 47 of the Code of Civil Procedure, 1908 are not dependent or contingent upon the filing of an application under Section 34 of the A&C Act and, therefore, the mere dismissal of the application filed under Section 34 of the A&C Act would not preclude the consideration of the objections filed by the appellant, on merits, in the enforcement proceedings.

5. Issue notice.

6. Notice is accepted by Mr. Aditya, the learned counsel appearing on behalf of the respondent.

7. The learned counsel for the respondent fairly submits that the Impugned Order be set aside and the matter may be remanded back to the learned Executing Court for a fresh consideration of the objections filed by the appellant on merits.

8. In view of the above, the Impugned Order is set aside. The matter is remanded back to the learned Executing Court to consider the objections filed by the appellant against the enforcement of the Arbitral Award afresh and on merits.



2025:DHC:4626-DB



9. We make it clear that we have not expressed any opinion on the merits of the objections raised by the appellant. The same shall be considered by the learned Executing Court in accordance with law.

10. We are informed that the Execution Petition is listed before the learned Executing Court on 04.08.2025. The parties shall appear before the learned Executing Court for the above-stated purpose on the said date. We request the learned Executing Court to expedite the consideration of the objections on merits.

11. The appeal, along with the pending application, is disposed of in the aforesaid terms.

**NAVIN CHAWLA, J**

**RENU BHATNAGAR, J**

**MAY 29, 2025**

p/kz/SJ

*[Click here to check corrigendum, if any](#)*