

OMP (COMM.) 2189/2026
TOYOTA FINANCIAL SERVICES INDIA LIMITED Vs.
RAJESH KUMAR

29.07.2026

Present: Sh. Himanshu Mehra, Ld. counsel for the petitioner who is appearing online on CISCO Webex on behalf of the petitioner.

Respondent in person.

As per the report of the Process-Serving Agency, the respondent has been served on whatsapp on 09.07.2026. As per the report of the Process-Server on the ordinary process, the respondent has been served on 13.07.2026.

The respondent states that previously also, the petitioner had instituted a petition under Section 9 of Arbitration & Conciliation Act and the vehicle was lifted and taken into possession by the petitioner even before the passing of the orders by the concerned Court i.e. by the Court of Sh. Rakesh Pandit, Ld. the then District Judge (Commercial Court)-04, South-West District, Dwarka Courts, New Delhi. It is also submitted that he had paid all the EMIs and therefore, the vehicle was directed to be returned to him. It is submitted that the petitioner is misusing the process of law and has again filed the petition under Section 9 of the Arbitration & Conciliation Act, despite the fact that he has paid more than the amount of EMIs.

Ld. counsel for the petitioner states that he would verify the above said factum of payment of the amount and the

entirety of the facts from the petitioner company and he would apprise this Court about the actual position on the next date.

The respondent has also placed on record the copy of the orders dated 09.04.2026 passed by the Court of Sh. Rakesh Pandit, Ld. the then District Judge (Commercial Court)-04, South-West District, Dwarka Courts, New Delhi.

In these circumstances, the petitioner is directed not to take possession of the vehicle in question from the respondent till the next date.

Respondent shall file the reply within the statutory period from the date of service, with advance copy thereof to the Ld. counsel for the petitioner.

At the joint request of both the parties, to come up for reply and arguments / compromise on **12.08.2026**.

RAJ KUMAR
District Judge (Commercial Court)-01,
(SW)-Dwarka Courts, Delhi
29.07.2026