



CNR: KAHC010039772026

NC: 2026:KHC:53904
CMP No. 26 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

CIVIL MISC. PETITION NO. 26 OF 2026

BETWEEN:

M/S. TOTAL ENERGIES MARKETING
INDIA PRIVATE LIMITED
A COMPANY REGISTERED UNDER
THE COMPANIES ACT, 1956
HAVING ITS REGISTERED OFFICE AT
3RD FLOOR, THE LEELA GALLERIA
ANDHERI-KURLA ROAD, ANDHERI (EAST)
MUMBAI-400 059

AND LPG DIVISION CORPORATE OFFICE AT
138 GROUND AND FIRST FLOOR
RAHEJA PARAMOUNT, RESIDENCY ROAD
BANGALORE - 560 025
REP. BY ITS AUTHORISED SIGNATORY
MR. KRISHNAN SUKAPURATH
SENIOR MANAGER.

...PETITIONER

(BY SRI. MAHADESHWARAN C N., ADVOCATE)

AND:

MAVERICK CORPORATION
REP. BY ITS PROPRIETOR
MR. SANDEEP SHASHIKANT LENGADE
R/AT NO. 223/2, ANAND ALUMINIUM
CROSS ROAD, MATAPA VILLAGE
BENGALURU-560083.

...RESPONDENT

(BY SRI. STEFY MARIA SEBASTIAN., ADVOCATE)

THIS CMP IS FILED UNDER SECTION 11(5) OF
ARBITRATION AND CONCILIATION ACT 1996 PRAYING TO

Digitally Signed by NARENDRA PRASAD
HAREKOPPA THIMMANNA GOWDA





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APPOINT A SOLE ARBITRATOR AS PER THE ARBITRATION NOTICE DATED 06.12.2025 TO ACT AS AN ARBITRATOR TO ADJUDICATE THE DISPUTE THAT HAS ARISEN BETWEEN THE PARTIES, AS PROVIDED IN THE AGREEMENT ARBITRATION CLAUSE 18.2 DATED 07.03.2025 AS PER ANNEXURE A.

THIS PETITION, COMING ON FOR ADMISSION, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

ORAL ORDER

1. This petition is filed under Section 11(5) of the Arbitration and Conciliation Act, 1996 (for short, "the Act"), seeking appointment of a sole Arbitrator for adjudication of the disputes that have arisen between the parties under the Agreement dated 07.03.2025, particularly in terms of Clause 18.2 thereof, produced at Annexure-A.

2. The brief facts of the case are that the petitioner is a company incorporated under the Companies Act, 1956, engaged in the business of importing, storing, supplying, marketing and selling LPG and also providing equipment and services associated with LPG. The petitioner entered into an Agreement dated 07.03.2025 (Annexure-A) with



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the respondent for installation of storage facilities and supply of LPG cylinders at the respondent's premises. It is the case of the petitioner that the respondent failed to comply with the terms and conditions of the Agreement. Subsequently, disputes arose between the parties in relation to the said Agreement.

3. As the disputes arose between the parties, the petitioner, invoking the arbitration clause contained in the Agreement, issued a notice dated 06.12.2025, vide Annexure-E, to the respondent under Section 21 of the Act. The said arbitration clause 18.2 reads as under:

"18.2. Any disputes, controversies and differences arising out of or in relation to or in connection with this Agreement, including any question regarding the existence, validity, termination or interpretation of this Agreement, shall in the first instance be resolved by the Parties amicably within 30 (thirty) days, failing which, the same shall be referred to and finally resolved through arbitration conducted in accordance the Arbitration and Conciliation Act, 1996 and Bangalore Arbitration



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& Conciliation Centre Rules, 2012 including any statutory modification or re-enactment thereof. The arbitration shall be administered by the Bangalore Arbitration & Conciliation Centre."

4. Despite service of the said notice, the respondent did not furnish any response. Hence, the present petition is filed seeking appointment of a sole Arbitrator.

5. The learned counsel for the respondent submits that respondent has no objection to the appointment of sole Arbitrator.

6. Having regard to the existence of the arbitration clause contained in the Agreement, which provides for resolution of disputes arising between the parties, and the fact that the petitioner has duly invoked the said arbitration clause by issuing notice under Section 21 of the Act, this Court is of the opinion that a Sole Arbitrator is required to be appointed for adjudication of the disputes between the parties.



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7. Accordingly, the following:

ORDER

- a) Civil Miscellaneous Petition is **allowed**.
- b) Mr.M.S.Balakrishna retired District Judge, is appointed as the Sole Arbitrator in the present case to arbitrate the disputes between the parties at the Arbitration and Conciliation Centre (Domestic & International), Bengaluru, as per the Rules governing the said Arbitration Centre.
- c) All the claims and contentions of the parties are left open.
- d) Registry is directed to communicate this order via e-mail to the Arbitration and Conciliation Centre (Domestic & International), Khanija Bhavan, Bengaluru, and also to the learned Arbitrator.
- e) Registry is directed to return all the original documents produced by any of the parties after obtaining Photostat copies of the same.



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- f) Parties are directed to appear before the Director, Arbitration and Conciliation Centre, Bengaluru, on **29.10.2026** at 11:30 a.m.

Digitally Signed by NARENDRA PRASAD
HAREKOPPA THIMMANNA GOWDA

(H.T. NARENDRA PRASAD)
JUDGE

DM
LIST NO.: 1 SL NO.: 21