



CNR: KAHC010125372026

NC: 2026:KHC:46467
CMP No. 88 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

CIVIL MISC. PETITION NO. 88 OF 2026

BETWEEN:

M/S M V CONSTRUCTIONS
NO. 16, 4TH CROSS,
LAKSHMIPURA LAYOUT,
DEVASANDRA, K.R. PURAM,
BENGALURU-560 036,

A REGD. PARTNERSHIP FIRM
REP BY ITS AUTHORIZED SIGNATORY
SRI CHERUKURU VENKATESWARULU

...PETITIONER

(BY SRI. SAMPATH BAPAT, ADVOCATE)

AND:

1. UNION OF INDIA
REP BY THE GENERAL MANAGER,
SOUTH WESTERN RAILWAY,
RAIL SADAN, GADAG ROAD,
HUBLI-20
2. THE CHIEF ADMINISTRATIVE OFFICER
(CONST), SOUTH WESTERN RAILWAY,
18, MILLERS ROAD,
BENGALURU-560 046.

Digitally
signed by
VANAMALA
N
Location:
HIGH
COURT OF
KARNATAKA



3. THE CHIEF ENGINEER (CONST-III)
SOUTH WESTERN RAILWAY,
18, MILLERS ROAD,
BENGALURU-560 046.
4. THE DEPUTY CHIEF ENGINEER
CONSTRUCTION,
SOUTH WESTERN RAILWAY,
YADAVAGIRI,
MYSURU-570 020.

...RESPONDENTS

(BY SRI. MANOJ, ADVOCATE FOR;
SRI. UNNIKRISHNAN M., ADVOCATE FOR R1 – R4)

THIS CMP IS FILED UNDER SECTION 11(6) OF
THE ARBITRATION AND CONCILIATION ACT, 1996.,
PRAYING TO APPOINT A SOLE ARBITRATOR FOR
RESOLVING THE DISPUTE THAT HAVE ARISEN
BETWEEN THE PARTIES IN RESPECT OF AGREEMENT
NO.SWR/SWRC/CIVIL/2023/0102 DATED 27.12.2023
AS PRODUCED IN ANNEXURE - B AND CLAUSE 64 OF
GCC.

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

CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD



CNR: KAHC010125372026

**NC: 2026:KHC:46467
CMP No. 88 of 2026**

ORAL ORDER

Mr. Sampath Bapat, the learned counsel for the petitioner arguing for the appointment of a Former Judge of this Court as a sole arbitrator, submits that the existence of an agreement for arbitration is not in dispute and the petitioner's dispute with the respondents is because of the change in the scope of work and the manner of executing the work. The learned counsel also submits that petitioner's claim is for money from the respondents which the respondents contest.

Mr. Manoj, the learned counsel who appears on behalf of Mr. Unnikrishnan M - the learned counsel on record for the respondents, is heard for the disposal of the petition. This Court is persuaded to opine that the existence of the arbitration agreement and the arbitrability of the dispute is shown; and because no impediment is shown for the appointment of a Former Judge of this Court to enter reference of



CNR: KAHC010125372026

NC: 2026:KHC:46467
CMP No. 88 of 2026

the dispute between the petitioner and the respondents as the sole arbitrator, the petition is allowed by this order leaving open all contentions, except those relating to the jurisdiction.

ORDER

A. The petition is allowed, and Hon'ble Smt. Justice M. G. Uma, a Former Judge, High Court of Karnataka, is appointed as the sole arbitrator to enter reference of the dispute between the petitioner and respondents and conduct the proceeding at the Arbitration and Conciliation Centre [Domestic and International], Bengaluru according to the Rules governing the Arbitration and Conciliation Centre [Domestic and International], Bengaluru.



CNR: KAHC010125372026

NC: 2026:KHC:46467
CMP No. 88 of 2026

B. The Registry is directed to communicate this order [through email] to the Arbitration and Conciliation Centre [Domestic and International], Bengaluru and Hon'ble Smt. Justice M. G. Uma, a Former Judge, High Court of Karnataka. Address: No.4143, 14th Floor, Tower-4, Prestige Misty Waters, Kempapura Main Road, Outer Ring Road, Hebbal, Bengaluru-560 024 E-mail id:- [uma.venkatesh13@gmail.com] as required under the Appointment of Arbitrators by the Chief Justice of Karnataka High Court Scheme, 1996.

C. The submissions of the learned counsel for the petitioner that the addresses of the parties as mentioned in the cause title are also the current addresses of



**NC: 2026:KHC:46467
CMP No. 88 of 2026**

CNR: KAHC010125372026

the parties is taken on record, and the parties are directed to appear before the Director, the Arbitration and Conciliation Centre [Domestic and International] Bengaluru, on **28.09.2026 at 11.30 am.**

**Sd/-
(B M SHYAM PRASAD)
JUDGE**

RB