



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

CIVIL MISC. PETITION NO. 111 OF 2026

BETWEEN:

M/S ACE PROPERTY VENTURES AND HOLDINGS
HAVING OFFICE AT NO.2011,
EMBASSY HABITAT APARTMENTS,
PALACE CROSS ROAD, VASANTH NAGAR,
BENGALURU-560 052
REPRESENTED BY ITS AUTHORISED SIGNATORY
MR. SAURAV GUHA
AGED ABOUT 46 YEARS,

...PETITIONER

(BY SRI. NAGARALE SANTOSH SUBHASHCHANDRA,
ADVOCATE)

AND:

SRI. N. GOPALIAIAH
AGED ABOUT 81 YEARS,
S/O LATE RANGE GOWDA,
RESIDING AT NO.9/1, "GANGOTHRI"
60 FEET ROAD, S.V.LAYOUT,
R.M.V. 2ND STAGE, SANJAY NAGAR,
BENGALURU-560 094.

...RESPONDENT

(BY SRI. NAVEEN J.N., ADVOCATE)

THIS CIVIL MISC. PETITION IS FILED U/S. 11(6) OF
ARBITRATION AND CONCILIATION ACT 1996 PRAYING TO
ALLOW THE PRESENT CIVIL MISCELLANEOUS PETITION AND
APPOINT A SOLE ARBITRATOR AT THE BANGALORE



ARBITRATION CENTRE TO ADJUDICATE THE DISPUTE ARISING OUT OF MEMORANDUM OF UNDERSTANDING DATED 11.02.2020 AS PER CLAUSE NO.10(iii) AND ADDENDUM MEMORANDUM OF UNDERSTANDING DATED 12.11.2021 ANNEXURES-C AND D ENTERED BETWEEN THE PETITIONER AND THE RESPONDENT AS PER CLAUSE NO.5 OF MEMORANDUM OF UNDERSTANDING DATED 11.02.2020.

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

CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL ORDER

Heard the learned counsel appearing for the parties.

2. In this petition, the petitioner has sought for appointment of an Arbitrator to adjudicate the disputes that have arisen between the parties in relation to the Memorandum of Understanding dated 11.02.2020, in accordance with the provisions of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as the 'Act').

3. Sri.Nagarale Santosh Subhashchandra, learned counsel for the petitioner invited the attention of the Court to clause 10 of the Memorandum of Understanding dated 11.02.2020 (Annexure-C) and submitted that, appointment of the Arbitrator is necessary for resolution of the dispute between the parties.



4. Sri J.N.Naveen, learned counsel for the respondent opposed the appointment of the Arbitrator, on the ground that, the Memorandum of Understanding was entered into between the respondent and M/s.Ace Realty Ventures on 11.02.2020. However, the petition is filed by M/s.Ace Property Ventures and Holdings, which is altogether a different nomenclature and the Memorandum of Understanding executed in favour of the petitioner. On this ground, learned counsel opposed the petition.

5. Having taken note of the submission made by the learned counsel for the parties and taking into account of clause 10 of the Memorandum of Understanding dated 11.02.2020 (Annexure-C), I am of the view that, the appointment of Arbitrator is necessary.

6. Accordingly, this petition under Section 11 (6) of the Act, 1996 is allowed. Hon'ble Justice Sri. Subhash B Adi, Former Judge, High Court of Karnataka is appointed to enter into the said reference of Arbitration and act as the Sole Arbitrator in the present case in the Arbitration and Conciliation



Centre, Bengaluru, as per the Rules governing the said Arbitration Centre.

7. All claims and contentions of any of the parties are kept open to be decided by the Arbitral Tribunal.

8. A copy of this order be sent forthwith to the Arbitration and Conciliation Centre, Khanija Bhavan, Bengaluru, for proceeding further in the matter.

9. Registry is directed to return all original documents produced by any of the parties after obtaining Photostat copies of the same.

10. Since the parties are represented through their learned counsel, in order to avoid further delay in the matter, the parties are directed to appear before the Arbitration and Conciliation Centre, Bengaluru on 04.06.2026 at 11.00 am, without waiting for further notice in this regard.

Petition is disposed of accordingly.

**SD/-
(E.S.INDIRESH)
JUDGE**