



CNR: KAHC010171262026

NC: 2026:KHC:46466
CMP No. 121 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. 121 OF 2026

BETWEEN:

CATERPILLAR FINANCIAL SERVICES
INDIA PRIVATE LIMITED
A COMPANY INCORPORATED AND
REGISTERED UNDER THE
COMPANIES ACT, 1956
HAVING ITS REGISTERED OFFICE AT

PRESENT AT:

GROUND FLOOR,
PRESTIGE SHANTINIKETAN,
CRESCENT 1, WHITEFIELD ROAD HOODI,
WHITEFIELD, BENGALURU,
BENGALURU URBAN KARNATAKA 560 048

Digitally
signed by
VANAMALA
N
Location:
HIGH
COURT OF
KARNATAKA

...PETITIONER

(BY SRI. ANKIT MALLYA, ADVOCATE FOR;
SRI. THAKUR RISHABH RAJ., ADVOCATE)



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AND:

1. VINOD YADAV
S/O RAMESH CHANDRA YADAV,
GRAM MITTHANPUR,
POST HALUHEDIKALAN,
MITHANPUR, RAJGARH,
MADHYA, PRADESH-465683

2. RAKHI YADAV
W/O VINOD YADAV,
GRAM MITTHANPUR,
POST HALUKHEDI KALAN,
TEHSIL PACHORE,
SARANPUR, RAJGARTH,
MADHYA PRADESH -465683

...RESPONDENTS

(R1 & R2 ARE SERVED)

THIS CMP IS FILED U/S. 11(6) OF ARBITRATION AND CONCILIATION ACT 1996, PRAYING TO APPOINT A SOLE ARBITRATOR TO RESOLVE THE DISPUTES AND DIFFERENCES AMOANGST THE PARTIES IN TERMS OF CLAUSE 21 OF THE LOAN AND SECURITY AGREEMENT DATED 29.09.2023 BEARING NO. 808-70003799 (ANNEXURE – B) EXECUTED BETWEEN THE PETITIONER AND THE RESPONDENTS.

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



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

ORAL ORDER

The petitioner's case is that it has financed the purchase of a certain equipment by the respondents and that they have defaulted in repaying the loan. The petitioner asserts an agreement for arbitration which in its material part reads as under.

“21.2 Any dispute arising out of or in connection with this contract, including any question regarding its existence, validity, interpretation, or termination thereof, shall be referred to and finally resolved by arbitration of a sole Arbitrator as per the provisions of the Arbitration and Conciliation Act, 1996. The parties by mutual agreement have appointed and named the sole Arbitrator who shall be Mr. D. R. Venkatasudarshan, Dist. & Sessions Judge (Retd.), Bengaluru. The sole Arbitrator’s consent is also obtained before appointment and therefore he can enter upon the reference the moment one of the parties approach him for interim measures/final award.”



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The petitioner has also caused legal notice in terms of this agreement but the respondents, who remain absent even in the present proceedings, have not caused any reply. In the light of the afore, the following.

ORDER

A. The petition is allowed, and Shri D. R. Venkatasudarshan, a retired District Judge, 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.



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B. The Registry is directed to communicate this order [through e-mail] to the Arbitration and Conciliation Centre [Domestic and International], Bengaluru and Shri D. R. Venkatasudarshan, a retired District Judge, Address: No.103, 'Kasthurbha', 2nd Floor, Laxmi Paradise Apartment, 11th Cross, 5th Main, Laxminarayanapura, Bengaluru-560 021 [E-mail id:- *drvenkatasudarshan@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 the parties is taken on record, and the



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parties are directed to appear before the
Director, the Arbitration and Conciliation
Centre [Domestic and International],
Bengaluru, on **05/10/2026** at
11.30 am.

Sd/-
(B M SHYAM PRASAD)
JUDGE

RB