



CNR: KAHC010238702025

NC: 2026:KHC:54786
CMP No. 214 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF OCTOBER, 2026

BEFORE

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

CIVIL MISC. PETITION NO. 214 OF 2025

BETWEEN:

MR P R RAKESH
S/O. P G RAVI KUMAR
AGED ABOUT 31 YEARS
RESIDENT AT NO.G4
SV SHARAN SIGNATURE APARTMENTS
5TH CROSS, ALFA GARDENS
AYYAPPA NAGAR, BANGALORE-560036.

CURRENTLY STATIONED AT
NO.7-13, SIDDAMPALLI RAILWAY STATION
CHITTOR, ANDHRA PRADESH – 517002.

...PETITIONER

(BY SRI. SANTHOSH U., ADVOCATE)

AND:

MANKAR FOOD AND RETAIL (IDLY GURU)
HAVING OFFICE AT NO.56/1
SHREEGANDADAKAVALU
MAGADI MAIN ROAD, KOTTIGEPALYA
BANGALORE - 560091.
REP BY ITS PARTNER
MR. KARTHIK BABU.

...RESPONDENT

(SERVICE OF NOTICE TO RESPONDENT IS
HELD SUFFICIENT V/O DATED: 23.09.2026)

THIS CMP IS FILED UNDER SECTION 11(5) OF THE
ARBITRATION AND CONCILIATION ACT, 1996 PRAYING TO DIRECT
THE CENTRE FOR ALTERNATE DISPUTE RESOLUTION EXCELLENCE

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HAREKOPPA THIMMANNA GOWDA





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(HEREINAFTER THE CENTRE OR CADRE) AS REFERRED IN ARBITRATION NOTICE DATED 29.10.2024, AS PER CLAUSE 18 OF THE FRANCHISEE AGREEMENT DATED 05.05.2024 HEREIN PRODUCED AS (ANNEXURE A) TO APPOINT SOLE ARBITRATOR TO ADJUDICATE UPON THE DISPUTES THAT HAVE ARISEN BETWEEN THE PETITIONER AND THE RESPONDENT AND ETC.

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

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 Franchisee Agreement dated 05.05.2024, particularly in terms of Clause 18 thereof, produced at Annexure-A.

2. The brief facts of the case are that the petitioner was looking forward to start a Hotel Business, he had come across the respondent - Company's advertisement in the social media platform 'Instagram'. Accordingly, the petitioner contacted the respondent and following the initial discussion, entered into a Franchisee Agreement

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dated 05.05.2024. Subsequently, disputes arose between the parties in relation to the said Franchisee Agreement.

3. As the disputes arose between the parties, the petitioner, invoking the arbitration clause contained in the Franchisee Agreement, issued a notice dated 29.10.2024 vide Annexure-E, to the respondent. The said arbitration clause 18 reads as under:

"18. In the event of any dispute or difference or claim arising out of, or in connection with, or relating to the present Agreement or the breach, termination or invalidity thereof, between the parties; or that may pertain to the construction, meaning or effect of this Agreement or any clause hereunder; or the rights, duties, liabilities or obligations of a party shall be referred and settled by a single arbitrator. All such arbitration proceedings shall be held in Bangalore, as per the Arbitration and Conciliation Act, 1996 as amended from time to time."

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. Notice issued by this Court has been duly served upon the respondent. However, there is no representation on behalf of the respondent.

6. Having regard to the existence of the arbitration clause contained in the Franchisee 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.

7. Accordingly, the following:

ORDER

- a) Civil Miscellaneous Petition is allowed.
- b) Sri S.R.Somasekhara, a 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,



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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 Sole Arbitrator.
- e) Registry is directed to return all the original documents produced by any of the parties after obtaining Photostat copies of the same.
- f) Parties are directed to appear before the Director, Arbitration and Conciliation Centre, Bengaluru, on 30.10.2026 at 11:30 a.m.
- g) In view of disposal of the main petition, all pending applications stand disposed of.

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HAREKOPPA THIMMANNA GOWDA

(H.T. NARENDRA PRASAD)
JUDGE

CM
LIST NO.: 1 SL NO.: 9