



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF MARCH, 2026

BEFORE

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

CIVIL MISCELLANEOUS PETITION NO.270 OF 2025

BETWEEN:

KARNATAKA STATE ROAD TRANSPORT
CORPORATION
HAVING ITS OFFICE AT:
KSRTC, DIVISIONAL OFFICE,
MYSURU URBAN DIVISION,
BANNIMANTAPA ROAD,
MYSURU - 570 015.
REP. BY ITS CHIEF LAW OFFICER,
KSRTC, CENTRAL OFFICES,
K.H. ROAD, SHANTHINAGAR,
BENGALURU - 560 027.

...PETITIONER

(BY SRI. P.D. SURANA, ADVOCATE)

AND:

SRI. SHAFEEQ AHAMED
S/O LATE NAZIR AHAMED,
AGED ABOUT 61 YEARS,
R/AT NO.41, 2ND CROSS,
BANNIMANTAPA 'C' LAYOUT,
BANNIMANTAPA,
MYSURU - 570 015.

...RESPONDENT

(BY SRI. KUMARA, ADVOCATE)

THIS CIVIL MISCELLANEOUS PETITION IS FILED UNDER
SECTION 11(5) OF THE ARBITRATION AND CONCILIATION
ACT, PRAYING TO APPOINT AN ARBITRATOR TO RESOLVE THE
DISPUTE BETWEEN THE PARTIES IN TERMS OF CLAUSE 46 OF
THE AGREEMENT ENTERED INTO BETWEEN THE PARTIES



DATED 13TH NOVEMBER, 2017 VIDE ANNEXURE-A FOR ADJUDICATING THE CLAIM OF RS.1,89,18,719/- ALONGWITH INTEREST.

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

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

ORAL ORDER

In this petition, the petitioner is seeking appointment of an Arbitrator to resolve the dispute between the parties in terms of Clause 46 of the Agreement dated 13th November, 2017 (Annexure-A).

2. Heard Sri. P.D. Surana, learned counsel appearing for the petitioner and Sri. Kumara, learned counsel appearing for the respondent.

3. Sri. Kumara, learned counsel appearing for the respondent submits that, in terms of Clause 46(b) of the Agreement dated 13th November, 2017 (Annexure-A), the Managing Director, KSRTC has to take decision in the matter and therefore, appointment of Arbitrator is not necessary at this stage. Accordingly, he sought for dismissal of the petition.



4. In reply to the submission made by learned counsel appearing for the respondent, Sri. P.D. Surana, learned counsel appearing for the petitioner referred to the order dated 10th March, 2026 passed by this Court and submitted that, as per the direction of this Court, the respondent herein has made claim against the petitioner in the meeting held on 11th March, 2026 before the Managing Director, KSRTC, however, same has failed. Accordingly, he sought for appointment of Arbitrator to resolve the dispute between the parties.

5. In the light of submission made by learned counsel appearing for the parties, on careful consideration of Clause 46 of the Agreement dated 13th March, 2017 (Annexure-A), the same would indicate that, a provision has been made to refer the matter to the Managing Director, KSRTC. In this regard, this Court, by order dated 10th March, 2026, directed the respondent to appear before the Managing Director, KSRTC on 11th March, 2026, however, it appears that the said meeting has failed for concurrence as to resolve the dispute between the parties, which is



forthcoming from the memo dated 17th March, 2026 filed by the respondent.

6. In that view of the matter, I am of the view that, an Arbitrator be appointed to resolve the dispute between the parties in terms of Clause 46(c) of the Agreement dated 13th November, 2017. Therefore, Hon'ble Mr. Justice Ramachandra D. Huddar, former judge of this Court is appointed as an Arbitrator to resolve the dispute between the parties in the Arbitration and Conciliation Centre (Domestic and International), Bengaluru.

7. In order to avoid further delay in the matter, the parties are directed to appear before the Arbitration and Conciliation Centre (Domestic and International), Bengaluru on 15th April, 2026 at 11.00 a.m.

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

9. A copy of this order be sent forthwith to the Arbitration and Conciliation Centre (Domestic and



International), Khanija Bhavan, Bengaluru for proceeding further in the matter.

10. Registry is directed to return the original documents if any, produced by the parties, after obtaining photostat copy of the same for the file.

Accordingly, Civil Miscellaneous Petition is ***disposed of.***

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

ARK
List No.: 1 Sl No.: 2