



CNR: KAHC010350672026

NC: 2026:KHC:49616
CMP No. 258 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF SEPTEMBER, 2026

BEFORE

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

CIVIL MISC. PETITION NO. 258 OF 2026

BETWEEN:

DR V N NANDAKUMAR
S/O LATE NANJUNDASWAMY
AGED ABOUT 74 YEARS
R/AT, NO.67, 7TH CROSS
7TH MAIN ROAD, RAJEEV NAGARA
PADMANABHA NAGARA
BENGALURU-560085.

...PETITIONER

(BY SMT. ANUSHA NANDISH, ADVOCATE FOR
SRI. GAURAV G K., ADVOCATE)

AND:

MR. SATISH C V
S/O YELLAIAH C K
AGED ABOUT 39 YEARS
R/AT NO. 529, GROUND FLOOR
2ND MAIN, 12TH CROSS
ANNAPOORNESHWARINAGAR
RHC SOCIETY, BENGALURU 560091.
ALSO AT, SITE NO.125/112
SURVEY NO.38 (P), 39(P), 40(P)
RAJAJINAGAR HOUSING
CO-OPERATIVE SOCIETY
1ST STAGE, ANNAPOORNESHWARINAGAR
SRIGANDHA KAVAL VILLAGE
YESHWANTHPURA HOBLI
BENGALURU-560085.

...RESPONDENT

(BY SRI. R B SADASIVAPPA., ADVOCATE)

Digitally signed by
DHANALAKSHMI
MURTHY

Location: HIGH
COURT OF
KARNATAKA



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THIS CMP IS FILED UNDER SECTION 11(6) OF ARBITRATION AND CONCILIATION ACT 1996, PRAYING TO APPOINT A SOLE ARBITRATOR TO ADJUDICATE THE DISPUTES AS PER CLAUSE 17 (ARBITRATION CLAUSE) OF THE REGISTERED LEASE DEED DATED: 22.04.2024, REGISTERED ON 16.05.2024 BEARING DOCUMENT NO.NGB-1-01220/2024-25 (ANNEXURE - A) 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

1. This petition is filed under Section 11(6) 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 petitioner and the respondent under the Lease Deed dated 22.04.2024 registered on 16.05.2024, particularly in terms of Clause 17 thereof, produced at Annexure-A.

2. The petitioner is the absolute owner of the building in Site No.125/112 in Sy.No.38(p), 39(p) and 40(p), Rajajinagar Housing Co-operative Society, 1st Stage, Annapoorneshwari Nagar, Srigandha Kaval Village, Yeshwanthpura Hobli, Bengaluru. Thereafter, the parties



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entered into a Lease Deed dated 22.04.2024 registered on 16.05.2024 (Annexure-A) in the office of the Rajajinagar Sub-Registrar, for a period of four years from 01.04.2024 to 31.03.2028, for the purpose of running a vegetarian restaurant in the name and style of 'Bakasura Bandi'. As per the Agreement, the respondent has not paid rent regularly and he has inducted a sub-tenant.

3. The Lease Deed contains an arbitration clause, namely, Clause 17, which reads as under:

"17. ARBITRATION

That it is hereby specifically agreed by the Lessor and the lessee that all or any dispute/s arising out of this Agreement shall be referred to Arbitration by a sole Arbitrator as mutually agreed and as per the provisions of the Arbitration and Conciliation Act, 1996 and shall be decided by the Bangalore Arbitration Centre, at Bangalore (established by the High Court of Karnataka). The language of the arbitration proceedings will be in English."



4. Since disputes arose between the parties and there is a mechanism for redressal of such disputes by way of arbitration, the petitioner issued a notice dated 22.04.2026, vide Annexure-E, to the respondent in terms of Section 21 of the Act, invoking the arbitration clause. Despite service of the said notice, the respondent did not furnish any response. Hence, the petitioner has filed the present petition.

5. Notice issued by this Court has been duly served upon the respondent. Despite service of notice, none appears on behalf of the respondent.

6. In view of the above, and having regard to the existence of the arbitration clause contained in the Lease Agreement, this Court is of the opinion that a Sole Arbitrator is required to be appointed for adjudication of the disputes between the parties. Accordingly, the following:



ORDER

- a) Civil Miscellaneous Petition is **allowed**.
- b) Hon'ble Mr.Justice Sreenivas Harish Kumar, Former Judge, High Court of Karnataka, 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, as per the Rules governing the said Arbitration Centre.
- c) All the claims and contentions of the parties are kept 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 Hon'ble Mr.Justice Sreenivas Harish Kumar, Former Judge, High Court of Karnataka.
- e) Registry is directed to return all the original documents produced by any of the parties after obtaining Photostat copies of the same.



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- f) Parties are directed to appear before the
Director, Arbitration and Conciliation Centre,
Bengaluru, on 05.10.2026 at 11:30 a.m.

Sd/-
(H.T. NARENDRA PRASAD)
JUDGE

DM
LIST NO.: 1 SL NO.: 6