



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 17901 OF 2026 (GM-RES)

BETWEEN:

M/S MONTECARLO LIMITED
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT,
HAVING ITS REGISTERED OFFICE
AT 706, 7TH, SHILPA BUILDING, C.G. ROAD,
NAVRANGPURA, AHMEDABAD,
GUJARAT - 380009.
REPRESENTED BY ITS AUTHORIZED REPRESENTATIVE
RUSHIRAJ RAIYANI,
AGED ABOUT 32 YEARS

...PETITIONER

(BY SRI. B S JEEVAN KUMAR.,ADVOCATE)

AND:

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA

M/S PURSUIT TECHNOLOGIES PRIVATE LIMITED
REGISTERED UNDER THE COMPANIES ACT
AND MSMED ACT,
NO.137A, 2ND MAIN ROAD, AECS LAYOUT,
SANJAYNAGAR,
BENGALURU - 560094.
REPRESENTED BY ITS
AUTHORIZED REPRESENTATIVE AND DIRECTOR,
MR. ARUN KUMAR SHAMANNA.

...RESPONDENT

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227
OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF
CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER OR
DIRECTION QUASHING THE COMMON ORDER DATED 29.04.2026



PASSED BY THE LEARNED SOLE ARBITRATOR IN A.C. NO.622/2023 INsofar AS IT REJECTS I.A. NO. II AT ANNEXURE-A AND ETC.

THIS WRIT PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The Petitioner is before this Court seeking for the following reliefs:

a) Issue a writ of certiorari or any other appropriate writ, order or direction quashing the common order dated 29.04.2026 passed by the learned Sole Arbitrator in A.C. No.622/2023 insofar as it rejects I.A. No. II at ANNEXURE-A.

b) Direct the learned Sole Arbitrator to receive the documents sought to be produced under I.A. No. II and consider the same in accordance with law;

c) Pass such other order or orders as this Hon'ble Court deems fit in the facts and circumstances of the case

2. On a dispute being raised by the respondent, the Micro and Small Enterprises Facilitation Council (MSME Council) referred the matter to the arbitration, which was taken up under the aegis of the Arbitration Centre, Karnataka, Domestic and International, Bengaluru. In the said proceedings, when the matter was set down for trial, the petitioner filed two applications in IA No.2 and IA No.3. IA No.2 being under Section 19(2), Section



23(2) and 23(3) of the Arbitration and Conciliation Act, 1996 (for short, 'the Act'), to produce certain documents. The said application came to be rejected by a common order on IA No.2 and IA No.3 dated 29.04.2026 in AC No.622/2023. It is challenging the said order that the petitioner is before this Court.

3. In a catena of judgments, the Hon'ble Apex Court has categorically held that the Courts should not normally interfere in the arbitral proceedings and the proceedings have to go on in terms of the provisions under the Act. The limited interference is in terms of
4. Section 37 of the Arbitration and Conciliation Act, 1996 which is reproduced hereunder for easy reference:

37. Appealable orders.—(1) *[Notwithstanding anything contained in any other law for the time being in force, an appeal] shall lie from the following orders (and from no others) to the Court authorised by law to hear appeals from original decrees of the Court passing the order, namely:—*

[(a) refusing to refer the parties to arbitration under section 8;

(b) granting or refusing to grant any measure under section 9;

(c) setting aside or refusing to set aside an arbitral award under section 34.]

(2) Appeal shall also lie to a court from an order of the arbitral tribunal—

(a) accepting the plea referred to in sub-section (2) or sub-section (3) of section 16; or



(b) granting or refusing to grant an interim measure under section 17.

(3) No second appeal shall lie from an order passed in appeal under this section, but nothing in this section shall affect or takeaway any right to appeal to the Supreme Court.

5. A perusal of the aforesaid extracted Section 37 would indicate that it is only the orders which are passed under Section 8, 9, 16 and 17 that an appeal could be filed. There is no provision under Section 37 for challenging an order passed under Section 19(2), Section 23(2) and 23(3) of the Act, disallowing an application to produce documents. The disallowing could be a ground which could be raised by the petitioner in an application filed by the petitioner under Section 34 in the event of the award being passed against the petitioner.
6. Reserving such liberty, no grounds being made out of petition stands ***dismissed***.

**Sd/-
(SURAJ GOVINDARAJ)
JUDGE**