



CNR: KAHC010490592026

NC: 2026:KHC:55538
CMP No. 368 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF OCTOBER, 2026

BEFORE

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

CIVIL MISC. PETITION NO. 368 OF 2026

BETWEEN:

HUTTI GOLD MINES COMPANY LIMITED.
A GOVERNMENT OF KARNATAKA COMPANY
INCORPORATED UNDER THE PROVISIONS
OF THE COMPANIES ACT, 2013
HAVING ITS REGISTERED OFFICE AT
3RD FLOOR, KHB NEW SHOPPING COMPLEX
NATIONAL GAMES VILLAGE
KORAMANGALA (POST)
BENGALURU-560 047
REP. BY ITS MANAGING DIRECTOR.

...PETITIONER

(BY SRI. PIYUSH KUMAR JAIN D. KUMAR, ADVOCATE)

AND:

GREENTECH MEGAWATT PRIVATE LIMITED.
A COMPANY INCORPORATED UNDER
THE PROVISIONS OF THE COMPANIES ACT, 2013
HAVING ITS REGISTERED OFFICE AT
6TH FLOOR (OFFICE-1), 336/2-16
MAYFLOWER VALENCIA
AVINASHI ROAD, COIMBATORE-641 001
REP. BY ITS DIRECTOR.

...RESPONDENT

(BY SRI. SHERVIL ADAPPA.,ADVOCATE)

THIS CMP IS FILED UNDER SECTION 11(6) OF
ARBITRATION AND CONCILIATION ACT 1996 PRAYING TO
APPOINT HONBLE SHRI VISHWANATH V. ANGADI RETIRED
DISTRICT JUDGE, AS THE SOLE ARBITRATOR UNDER CLAUSE
12 OF TENDER NOTIFICATION NO. HGML/2024-25/SE0043 AT
ANNEXURE-A DATED 31.12.2024 AND THE CORRESPONDING

Digitally Signed by NARENDRA PRASAD
HAREKOPPA THIMMANNA GOWDA





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CLAUSE 8 OF THE AGREEMENT DATED JULY 4, 2025 AT ANNEXURE-C TO ADJUDICATE THE DISPUTES THAT HAVE ARISEN BETWEEN THE PETITIONER AND THE RESPONDENT.

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 parties under Clause 12 of Tender Notification dated 31.12.2024 (Annexure-A) and Clause 8 of the Agreement dated 04.07.2025 (Annexure-C).

2. The brief facts of the case are that petitioner is a Government of Karnataka company engaged in mining, extraction of gold and allied commercial activities and respondent is a company having expertise in operation and maintenance of the renewable energy resources. The petitioner issued tender notification dated 31.12.2024 (Annexure-A) inviting bids for the award of Comprehensive



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Operation, Maintenance and Security Contract (CAOMSC). Respondent herein was the successful bidder and therefore, the petitioner issued Letter of Intent dated 13.06.2025 in favour of the respondent. Thereafter, the parties entered into an Agreement dated 04.07.2025 (Annexure-C) and work order was issued. According to the petitioner, despite commencement of contract, the respondent failed to perform the operation services in accordance with the contract. Subsequently, disputes arose between the parties in relation to the said contract.

3. The respondent sent a legal notice dated 23.10.2025 (Annexure-E) to the respondent and petitioner has replied to the said notice on 23.01.2026 (Annexure-F) referring to the arbitration clauses contained in the Tender Notification and Agreement. Further, in response to which, the respondent addressed another reply dated 21.04.2026 (Annexure-G). Thereafter, the petitioner, invoking the arbitration clauses, issued a rejoinder notice dated



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20.06.2026 vide Annexure-H to the respondent under Section 21 of the Act. The arbitration Clause 12 of Tender Notification dated 31.12.2024 (Annexure-A) reads as under:

"12. Arbitration:

Any dispute or difference or claim arising out of, or in connection with, or relating to the present contract or breach, termination or invalidity thereof, shall be referred and selected under the Arbitration Centre - Karnataka (Domestic & International) Rules, by one or more arbitrators appointed in accordance with its rules."

4. Clause 8 of the Agreement dated 04.07.2025 (Annexure-C) reads as under:

"8.Arbitration:

In case of any dispute, whatsoever, the decision of the Managing Director or his authorized representative of the Company is final & finding on both the parties. And shall be settled through the arbitration and conciliation Act, 1996 and any amendments thereof."



5. The respondent did not furnish any reply to the said notice dated 20.06.2026. Hence, the present petition is filed seeking appointment of a sole Arbitrator.

6. The learned counsel appearing for the respondent submits that respondent has no objection to the appointment of sole Arbitrator. However, he seeks that all the contentions of the parties be kept open to be urged before the learned Arbitrator.

7. Having regard to the existence of the arbitration clause contained in the 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.

8. Accordingly, the following:



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ORDER

- a) Civil Miscellaneous Petition is **allowed**.
- b) Sri.Raghunath.M.L. 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, 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 Arbitrator.
- 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 05.11.2026 at 11:30 a.m.

Digitally Signed by NARENDRA PRASAD
HAREKOPPA THIMMANNA GOWDA

(H.T. NARENDRA PRASAD)
JUDGE

DM
LIST NO.: 1 SL NO.: 21