



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF MARCH, 2026

BEFORE

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

CIVIL MISC. PETITION NO. 548 OF 2024

BETWEEN:

M/S. NITESH ASSET HOLDINGS,
A PARTNERSHIP FIRM HAVING REGISTERED
OFFICE AT NO. 25/A, 2ND FLOOR,
IMPERIAL COURT,
CUNNINGHAM ROD,
BENGALURU - 560 052.
REPRESENTED BY ITS AUTHORISED SIGNATORY.
AND ALSO FINANCE CONTROLLER AND BUSINESS HEAD
MR. N. PARASURAM

...PETITIONER

(BY SRI. S.S. NAGANAND, LEARNED SR. COUNSEL FOR
SMT.SUMANA NAGANAND, ADVOCATE)

AND:

1. SMT.B.R.MYTHRAI SETTY
D/O DR B V RAMALINGA SETTY,
AGED ABOUT 64 YEARS,
ADDRESS AT NO. 42/3, LAVELLE ROAD,
BENGALURU - 560 001.
2. DR B R RAVINDRA SETTY
S/O DR B V RAMALINGA SETTY,
AGED ABOUT 59 YEARS,
ADDRESS AT NO. 42/3, LAVELLE ROAD,
BENGALURU - 560001.

Digitally signed
by AASEEFA
PARVEEN

Location: HIGH
COURT OF
KARNATAKA



3. M/S. NITESH INFRASTRUCTURE AND CONSTRUCTIONS,
A PARTNERSHIP FIRM, HAVING ITS REGISTERED OFFICE AT NO. 25/A,
2ND FLOOR, IMPERIAL COURT,
CUNNINGHAM ROAD,
BENGALURU - 560 052.
REPRESENTED BY ITS PARTNER

4. M/S. NITESH HEALTH CARE PVT LTD
(NOW KNOWN AS VELCRUM SYSTEMS AND DIGITAL PRIVATE LIMITED)
A COMPANY INCORPORATED
UNDER THE PROVISIONS OF
THE COMPANIES ACT, 1956,
HAVING REGISTERED OFFICE AT NO. 23/1,
1ST FLOOR, 1ST MAIN,
VASANTH NAGAR,
BENGALURU - 560001.

...RESPONDENTS

(BY SRI. BADRI VISHAL, ADVOCATE FOR R1 AND R2;

SRI. KIRAN V. RON, ADVOCATE FOR R3;

SRI. VIGNESH SHETTY, ADVOCATE FOR R4)

THIS CIVIL MISC. PETITION UNDER SECTIONS 11 (5) AND 11(6) OF THE ARBITRATION AND CONCILIATION ACT, 1996 PRAYING TO APPOINT AN APPROPRIATE ARBITRAL TRIBUNAL TO ADJUDICATE UPON THE DISPUTES THAT HAVE ARISEN BETWEEN THE PETITIONER AND THE RESPONDENTS, AS PER CLAUSE 21 OF JOINT DEVELOPMENT AGREEMENT DATED 15.08.2018 (ANNEXURE-A) AND GRANT COSTS OF THESE PROCEEDINGS.



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

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

ORAL ORDER

Heard Smt.S.S.Naganand, learned Senior Counsel appearing on behalf of Smt.Sumana Naganand for the petitioner, Sri.Badri Vishal, learned counsel appearing for respondents No.1 and 2, Sri.Kiran V. Ron, learned counsel for respondent No.3 and Sri.Vignesh Shetty, learned counsel for respondent No.4.

2. In this petition the petitioner has sought for appointment of an Arbitrator to adjudicate the disputes that have arisen between the parties in relation to the Joint Development Agreement dated 15.08.2018 (Annexure-A), in accordance with the provisions of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as the 'Act').

3. Having taken note of the submission made by the learned counsels appearing for the parties and upon perusal of Clause (21) of the Joint Development Agreement dated



15.08.2018 (Annexure -A), I am of the considered opinion that, an Arbitrator is to be appointed to adjudicate the dispute between the parties.

4. Accordingly, this petition under Sections 11(5) and 11(6) of the Act, 1996 is allowed. Hon'ble Justice Srinivas Harishkumar, Former Judge of this Court is appointed to enter into the said reference of Arbitration and act as the Sole Arbitrator in the present case at the Arbitration and Conciliation Centre, Bengaluru, as per the Rules governing the said Arbitration Centre.

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

6. A copy of this order be sent forthwith to the Arbitration and Conciliation Centre, Khanija Bhavan, Bengaluru, for proceeding further in the matter.

7. Registry is directed to return all original documents produced by any of the parties after obtaining Photostat copies of the same.



8. Since the parties are represented through their learned counsel, in order to avoid further delay in the matter, the parties are directed to appear before the Arbitration and Conciliation Centre on 10.04.2026 at 11.00 a.m., without waiting for further notice in this regard.

With these observations, CMP is disposed off.

Sd/-
(E.S.INDIRESH)
JUDGE

AP
List No.: 1 SI No.: 2.1