



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF APRIL, 2026

BEFORE

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

CIVIL MISC. PETITION NO. 589 OF 2024

BETWEEN:

1. M/S MYSORE METAL INDUSTRIES
A REGISTERED PARTNERSHIP FIRM
INCORPORATED AND REGISTERED
UNDER THE PARTNERSHIP ACT,
AND HAVING ITS REGISTERED OFFICE AT
NO 14, CORNWELL CROSS ROAD,
LANGFORD GARDENS, BANGALORE - 560025
REPRESENTED HEREIN BY ITS
DULY AUTHORIZED PARTNER
MR VIVEK M P.

...PETITIONER

(BY SRI. DEVAIAH I S., ADVOCATE)

AND:

1. R J RISHIKARAN PROJECTS PVT LTD
A COMPANY INCORPORATED AND REGISTERED
UNDER THE COMPANIES ACT 1956
HAVING ITS REGISTERED OFFICE AT
PENT HOUSE, R.J MANOR APARTMENT
NO 11/A, 80 FEET ROAD, 3RD BLOCK,
KORAMANGALA,
BANGALORE - 560034
REP BY ITS MANAGING DIRECTOR
MR RATNAKAR SHETTY

...RESPONDENT

(BY SRI. ASHOK B PATIL.,ADVOCATE)

Digitally signed by
CHAYA S A
Location: HIGH
COURT OF
KARNATAKA



THIS CMP IS FILED UNDER SECTION 11(6) OF THE ARBITRATION AND CONCILIATION ACT 1996 PRAYING TO APPOINT A SOLE ARBITRATOR IN TERMS OF THE ARBITRATION AGREEMENT UNDER THE JOINT DEVELOPMENT AGREEMENT DATED 26.05.2013 REGISTERED AS DOCUMENT NO.4040/2013-14 AND STORED IN CD NO.74 AT THE OFFICE OF SUB REGISTRAR, INDIRANAGARA (ANNEXURE C) FOR ADJUDICATING THE ARBITRABLE DISPUTE THAT HAVE ARISEN BETWEEN THE PETITIONER AND THE RESPONDENT, IN THE INTEREST OF JUSTICE.

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

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

ORAL ORDER

Heard the learned counsel appearing for the parties.

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 Clause-37 of the Joint Development Agreement dated 26.05.2013 (Annexure-C), in accordance with the provisions of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as the 'Act').

3. Sri Ashok B. Patil, learned counsel appearing for the respondent referring to notice dated 12.11.2024



(Annexure-G) submitted that, there is no specific dispute to be considered by the learned Arbitrator and nothing is stated in the said notice at Annexure-G, and accordingly sought for dismissal of the petition.

4. Having taken note of the submissions made by the learned counsel appearing for the parties and upon perusal of Joint Development Agreement dated 26.05.2013 (Annexure-C), wherein the said provision has provided for the appointment of the arbitrator in the event of any differences or disputes arising between the parties. In that view of the matter taking into consideration the averments made in the notice dated 12.11.2024 (Annexure-G), I am of the considered opinion that, a Arbitrator is to be appointed to adjudicate the dispute between the parties.

5. Accordingly, this petition under Section 11 (6) of the Act, 1996 is allowed.



6. Hon'ble Justice Smt. Uma, the former judge of High Court of Karnataka, Bengaluru, is appointed to enter into the said reference of Arbitration and act as the Sole Arbitrator in the present case in the Arbitration and Conciliation Centre (Domestic & International), Bengaluru, as per the Rules governing the said Arbitration Centre.

7. It is also made clear that, prima facie, since the parties are represented through their counsels, parties are directed to appear before the Arbitration Center on 02.06.2026, without waiting further notice in this regard.

8. All claims and contentions of any of the parties are left/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 & International), Khanija Bhavan, Bengaluru, for proceeding further in the matter.



**NC: 2026:KHC:23853
CMP No. 589 of 2024**

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

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

HR
List No.: 2 Sl No.: 17