HC-KAR

NC: 2026:KHC:63526-DB
COMAP No. 30 of 2026

CNR: KAHC010023762026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF NOVEMBER, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE H.SHANTHI BHUSHAN

COMMERCIAL APPEAL NO. 30 OF 2026

BETWEEN:

SRINATHAN HAMPI
S/O HP MOHAN KUMAR,
AGED ABOUT 26 YEARS,
RESIDING AT NO. 502, STERLING APARTMENTS,
PAPANNA STREET, ST. MARK S ROAD,
BENGALURU - 560 001.

...APPELLANT

(BY SRI. DECLYN GOMES, ADVOCATE FOR
SRI. ABHAY R S, ADVOCATE)

AND:

1. MY KONBINI VENTURES LLP
A PARTNERSHIP, HAVING ITS REGISTERED
OFFICE AT FLAT - 3, 18TH FLOOR, F21 BLOCK,
SHANTINIKETAN (TC-428), HOODI
BANGALORE, BANGALORE NORTH,
KARNATAKA – 560 048.
THROUGH ITS AUTHORISED RESRESENTATIVE
MR. RAJA MUKHERJEE

2. RAJA MUKHERJEE S/O SUJIT KUMAR MUKHERJEE
FLAT - 3, 18TH FLOOR, F-21 BLOCK,
SHANTINIKETAN (TC-428) HOODI
BENGALURU, NORTH BENGALURU,
KARNATAKA – 560 048.

ALSO AT THE GAIN
44, 1ST MAIN RD, SARAKKI INDUSTRIAL LAYOUT,
3RD PHASE, J. P. NAGAR,
BENGALURU, KARNATAKA 560 078.

Digitally signed by B VEENA KUMARI
Location: HIGH COURT OF KARNATAKA

3. NIDHI VADHERA,
D/O GHANSHYAM JOSHI DUTT,
FLAT NO. 3, 18TH FLOOR, F21 BLOCK,
SHANTINIKETAN (TC-428) HOODI
BENGALURU,NORTH BENGALURU,
KARNATAKA -560 048.

ALSO AT THE GAIN
44, 1ST MAIN RD, SARAKKI INDUSTRIAL LAYOUT,
3RD PHASE, J. P. NAGAR,
BENGALURU, KARNATAKA 560 078.

…RESPONDENTS

THIS COMAP / COMMERCIAL APPEAL UNDER SECTION 37(1)(B) OF THE ARBITRATION AND CONCILIATION ACT READ WITH SECTION 13 (1-A) OF THE COMMERCIAL COURTS ACT, 2015 PRAYING TO ADMIT AND ALLOW THE PRESENT APPEAL AND BY SO DOING, SET ASIDE THE IMPUGNED ORDER (ANNEXURE-A) DATED.10.11.2025 AS PASSED BY THE LD. LXXXVI ADDITIONAL CITY CIVIL AND SESSIONS JUDGE, (COMMERCIAL COURT (CCH-87), BENGALURU IN COM.A.A.NO.154/2025 FILED BY THE APPELLANT UNDER SECTION 9 OF THE ARBITRATION AND CONCILIATION ACT, 1996 AND CONSEQUENTLY, ALLOW THE APPLICATION IN IA NOS.5, (ANNEXURE-AB) IN THE PROCEEDINGS IN COM.A.A.NO.154/2025 FILED BY THE APPELLANT UNDER SECTION 9 OF THE ARBITRATION AND CONCILIATION ACT, 1996, ON THE FILE OF THE LD. LXXXVI ADDITIONAL CITY CIVIL AND SESSIONS JUDGE, (COMMERCIAL COURT CCH-87), BENGALURU.

THIS APPEAL, COMING ON FOR ADMISSION, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE D K SINGH
AND
HON'BLE MR. JUSTICE H.SHANTHI BHUSHAN

CNR: KAHC010023762026

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE D K SINGH)

The present appeal has been filed under Section 37(1)(b) of the Arbitration and Conciliation Act, 1996 impugning the judgment and order dated 10.11.2025 passed in Com.A.A.No.154/2025 by the LXXXVI Additional City Civil and Sessions Judge, (Commercial Court CCH-87) Bengaluru.

2. Heard the learned counsel Sri. Declyn Gomes for Sri. Abhay R.S. appearing for the appellant.

3. We dispose of this appeal as we do not find any ground to interfere with the impugned judgment and order dated 10.11.2025 passed in Com.A.A.No.154/2025 by the LXXXVI Additional City Civil and Sessions Judge, Bengaluru under Section 37 of the Arbitration and Conciliation Act, 1996. However, any observations made in the impugned judgment and order dated 10.11.2025 on merits regarding the refund of the amount to the appellant/claimant, shall

not be treated as final determination of the claim of the appellant/claimant in respect of his claim in respect of Rs.7,50,000/- with interest etc.

Sd/-
(D K SINGH)
JUDGE

Sd/-
(H.SHANTHI BHUSHAN)
JUDGE

BVK
List No.: 2 Sl No.: 2