HC-KAR
CNR: KAHC010026752024

NC: 2026:KHC:54946
CMP No. 35 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF OCTOBER, 2026

BEFORE

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

CIVIL MISC. PETITION NO. 35 OF 2024

BETWEEN:

MR. GOWRISHANKAR CHEGARADDI
S/O MR THIPPAREDDY
AGED ABOUT 35 YEARS
R/AT WARD NO.6, BASAVESHWAR NAGAR
GULEDGUDDA, BAGALKOT-587203.

...PETITIONER

(BY SRI. KALLIHALA BHOJAPPA KARIYAPPA., ADVOCATE)

AND:

1. WAYLINK PITSTOP SOLUTIONS
PRIVATE LIMITED
REP. BY ITS DIRECTOR
DR RANJAN SATHISH
REGISTERED OFFICE AT #60
8TH MAIN, G M PALAYA
NEW TIPPASANDRA POST
BENGALURU-560075.

2. DR RANJAN SATHISH
FOUNDER AND DIRECTOR OF WAYLINK PITSTOP
SOLUTIONS PRIVATE LIMITED
OFFICE AT 60, 8TH MAIN, G M PALAYA
NEW TIPPASANDRA POST
BENGALURU-560075.

...RESPONDENTS

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HAREKOPPA THIMMANNA GOWDA

(BY SRI. JEEVAN K, ADVOCATE FOR R2:
SERVICE OF NOTICE TO R1 IS DISPENSED WITH
V/O DATED: 01.10.2026)

THIS CIVIL MISC. PETITION IS FILED UNDER SECTION 11(6) OF THE ARBITRATION AND CONCILIATION ACT 1996, PRAYING TO APPOINT AN INDEPENDENT ARBITRATOR NAMELY MR. KUKKAJE RAMAKRISHNA BHAT, RETIRED DISTRICT JUDGE, OFFICE AT NO.2, 1ST CROSS, JUDICIAL LAYOUT, SANJAYNAGAR, RMV II STAGE-BENGALURU, TO HEAR AND DECIDE THE DISPUTE BETWEEN THE PETITIONER AND RESPONDENTS PURSUANT TO ARBITRATION CLAUSE 6.6 OF THE BUSINESS PARTNER AGREEMENT DATED 06/09/2021, VIDE ANNEXURE-A.

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

CORAM: HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

ORAL ORDER

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 the Business Partner Agreement dated 06.09.2021, particularly in terms of Clause 6.6 thereof, produced at Annexure-A.

2. The brief facts of the case are that respondent No.1 herein is a Private Limited Company and the

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respondent No.2 herein is the Founder and Director of respondent No.1 – Company. The respondent has appointed the petitioner as a business partner of the respondent – Company and entered into a Business Partner Agreement dated 06.09.2021. Subsequently, disputes arose between the parties in relation to the said Business Partner Agreement.

3. As the disputes arose between the parties, the petitioner, invoking the arbitration clause contained in the Business Partner Agreement, issued a notice dated 17.08.2023, vide Annexure-E, to the respondents under Section 21 of the Act. The said arbitration clause 6.6 reads as under:

> *"Any dispute or difference of any nature whatsoever or regarding any right, liability, act, omission or account of any of the parties hereto arising out of or in relation to this agreement shall be referred to an arbitrator appointed by the COMPANY in accordance with and subject to the provisions of the arbitration and conciliation Act 1996. The BUSINESS PARTNER will not be entitled*

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to raise any objections to the appointment of any such arbitrator. The venue of arbitration shall be at Bangalore."

4. Despite service of the said notice, the respondent did not furnish any response. Hence, the present petition is filed seeking appointment of a Sole Arbitrator.

5. The learned counsel for the respondent No.2 submits that respondent No.2 has no objection to the appointment of sole Arbitrator.

6. Having regard to the existence of the arbitration clause contained in the Business Partner 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.

7. Accordingly, the following:

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HAREKOPPA THIMMANNA GOWDA

ORDER

a) Civil Miscellaneous Petition is allowed.

b) Sri K.M.Thammaiah, a 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 Sole 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 30.10.2026 at 11:30 a.m.

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HAREKOPPA THIMMANNA GOWDA

(H.T. NARENDRA PRASAD)
JUDGE

CM
LIST NO.: 1 SL NO.: 64