HC-KAR

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. 81 OF 2025

BETWEEN:

1. GHODAWAT ENTERPRISES PRIVATE LIMITED
A COMPANY INCORPORATED UNDER THE
PROVISIONS OF THE COMPANIES ACT, 1956 HAVING
ITS REGISTERED OFFICE AT 438
A/P CHIPRI, PSOT JAYSINGPUR,
TALUKA SHIROL, DISTRICT KOLHAPUR - 416
106MAHARASTRA

AND
HAVING ITS CORPORATED OFFICE AT,
STAR AIR, ROAD NO.1,KIADB HI-TECH DEFENCE
AND AEROSPACE PARK,
PLOT 13-A-P2, BANDE KODIGEHALLI,
BENGALURU - 562149
KARNATAKA
REPRESENTED BY ITS AUTHORISED SIGNATORY,
MR. RAJIT AJIT RATHOR
E.rajit.rathor@starair.in

...PETITIONER

(BY SRI. ABHINAG S.,ADVOCATE)

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

AND:

1. MR AMIT SHUKLA
   SON OF MR. D.D SHUKLA,
   AGED ABOUT 48 YEARS,
   RESIDING AT FLAT NO. 4035, CASA PARADISSO 4,
   SOBHA CITY, THANISANDRA MAIN ROAD,
   BENGALURU - 560077
   KARNATAKA

   ALSO AT
   HOUSE NO. 99, SHYAM NAGARKANPUR - 208 013
   UTTAR PRADESH
   E.shuks0007@gmail.com

…RESPONDENT

(SERVED UNREPRESENTED)

CMP FILED UNDER SECTION 11(6) OF THE ARBITRATION AND CONCILIATION ACT, 1996 PRAYING TO PASS A JUDGMENT AND DECREE OF i) APPOINT MR.VISHWANATH.V.ANGADI, PRINCIPAL CITY CIVIL AND SESSIONS JUDGE (RETD) AS THE SOLE ARBITRATOR, TO ENTER UPON REFERENCE IN TERMS OF CLAUSE 6.32 OF THE APPOINTMENT LETTER DATED 15.07.2019 (AT ANNEXURE C) AND AS PER THE NOTICE OF INVOCATION OF ARBITRATION DATED 28.06.2024 (AT ANENXURE F) ISSUED BY THE PETITIONER, TO ADJUDICATE ALL DISPUTES BETWEEN THE PARTIES.

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 learned counsel appearing for the petitioner. Respondent served, remained absent.

2. In this petition, the petitioner has sought for appointment of an Arbitrator to adjudicate the disputes that have arisen between the parties in reference to Clause 6.32 of the Appointment Letter dated 15.07.2019 (ANNEXURE-C), in accordance with the provisions of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as the 'Act').

3. Having taken note of the submissions made by the learned counsel appearing for the petitioner and upon perusal of Clause 6.32 of the Appointment Letter dated 15.07.2019, I am of the considered opinion

that, a Arbitrator is to be appointed to adjudicate the dispute between the parties.

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

5. Sri. M.B. Kulkarni, Retired District Judge 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 Bengaluru, as per the Rules governing the said Arbitration Centre.

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

7. 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.

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

Sd/-
(E.S.INDIRESH)
JUDGE

HR
List No.: 2 Sl No.: 18