HC-KAR
NC: 2026:KHC:61533
CMP No. 414 of 2026
CNR: KAHC010510992026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF NOVEMBER, 2026

BEFORE

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

CIVIL MISC. PETITION NO. 414 OF 2026

BETWEEN:

M/S SKYDO TECHNOLOGIES PRIVATE LIMITED
(A COMPANY REGISTERED UNDER
THE COMPANIES ACT, 2013)
HAVING ITS OFFICE AT 2ND FLOOR
INDIQUBE SERENITY, PHASE 2, 31
HOSUR ROAD, NEAR VISHAL MEGAMART
MUNESHWARA NAGAR, SECTOR 6
HSR LAYOUT, BENGALURU 560-068.
REP. BY ITS LEGAL HEAD
MR. AWADESH RANJAN.

...PETITIONER

(BY SRI. SHASHANK R., ADVOCATE)

AND:

SANDESH KUMAR
AGED MAJOR
R/ AT NO 569 K/3
SNEH NAGAR A LAMBAGH
ALAMBAGH S.O. LUCKNOW
INDIA-226005.

...RESPONDENT

(NOTICE TO RESPONDENT IS HELD SUFFICIENT
V/O DATED: 02.11.2026)

THIS CMP IS FILED UNDER SECTION 11(6) OF ARBITRATION AND CONCILIATION ACT 1996, PRAYING TO APPOINT A SOLE ARBITRATOR TO ADJUDICATE/RESOLVE THE DISPUTES AND DIFFERENCES ARISEN BETWEEN THE PETITIONER AND THE RESPONDENT IN RELATION TO THE

Digitally Signed by NARENDRA PRASAD
HAREKOPPA THIMMANNA GOWDA

PLATFORM TERMS OF USE, IN TERMS OF CLAUSE 25(2) VIDE UNDATED ANNEXURE - A.

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

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

ORAL ORDER

1. 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 Platform Terms of Use particularly in terms of Clause 25(ii) thereof, produced at Annexure-A.

2. The brief facts of the case are that the petitioner is a Company duly incorporated under the provisions of the Companies Act, 2013 and is engaged, inter alia, in providing cross-border payment facilitation services through its proprietary technology platform. It facilitates international payment transactions for merchants carrying on legitimate business activities. The respondent approached the petitioner with a request to avail the

Digitally Signed by NARENDRA PRASAD
HAREKOPPA THIMMANNA GOWDA

petitioner's payment facilitation services through its technology platform for the purpose of receiving cross-border payments in connection with its business activities. Thereafter, the respondent onboarded onto the petitioner's platform on 03.03.2025. As a mandatory condition for availing the petitioner's services, the respondent expressly accepted and agreed to be bound by the 'Platform Terms of Use', which constitute a valid and binding contract governing the rights and obligations of the parties. Subsequently, disputes arose between the parties in relation to the said contract.

3. As the disputes arose between the parties, the petitioner, invoking the arbitration clause contained in the Platform Terms of Use, issued a notice dated 05.06.2026 vide Annexure-G to the respondent under Section 21 of the Act. The said arbitration clause 25(ii) reads as under:

> *"In case of any differences, disputes or disagreements between the User and Skydo, the dispute shall be resolved by a sole arbitrator*

Digitally Signed by NARENDRA PRASAD
HAREKOPPA THIMMANNA GOWDA

appointed by the mutual consent of the user and Skydo. The seat of arbitration shall be Bengaluru and the language of the Arbitration shall be English"

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. Notice issued by this Court has been duly served upon the respondent. However, there is no representation on behalf of the respondent.

6. Having regard to the existence of the arbitration clause contained in the Platform Terms of Use, 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.

Digitally Signed by NARENDRA PRASAD
HAREKOPPA THIMMANNA GOWDA

7. Accordingly, the following:

ORDER

a) Civil Miscellaneous Petition is **allowed**.

b) Sri.S.N.Navalgund, 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.

Digitally Signed by NARENDRA PRASAD
HAREKOPPA THIMMANNA GOWDA

f) Parties are directed to appear before the Director, Arbitration and Conciliation Centre, Bengaluru, on 17.12.2026 at 11:30 a.m.

Digitally Signed by NARENDRA PRASAD HAREKOPPA THIMMANNA GOWDA

(H.T. NARENDRA PRASAD)
JUDGE

DM
LIST NO.: 1 SL NO.: 53