HC-KAR
NC: 2026:KHC:61810
CMP No. 445 of 2026
CNR: KAHC010545742026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF NOVEMBER, 2026

BEFORE

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

CIVIL MISC. PETITION NO. 445 OF 2026

BETWEEN:

DR ABHISHEK R
S/O RANGASHETTY
AGED ABOUT 32 YEARS
R/A NO.691,SRI RANGA NILAYA
2ND MAIN ROAD, 12TH CROSS
NEAR GANAPATHI TEMPLE
KHB BADAVANE, HASSAN -573201.

...PETITIONER

(BY SRI. SANCHAN JAI NANDAN., ADVOCATE)

AND:

THE MANAGING DIRECTOR
M/S. KIDS CLINIC INDIA LIMITED
(CLOUDNINE HOSPITAL)
REGISTERED OFFICE
NO.1533,9TH MAIN, 3RD BLOCK
JAYANAGAR, BENGALURU -560 011.

...RESPONDENT

(BY SMT. ARCHANA K.M., ADVOCATE)

THIS CMP IS FILED UNDER SECTION 11(6) OF ARBITRATION AND CONCILIATION ACT 1996, PRAYING TO APPOINT HONBLE MR. JUSTICE (RETD)., A.V. CHANDRASHEKAR, FORMER JUDGE, AS THE SOLE ARBITRATOR TO ADJUDICATE THE DISPUTES THAT HAVE ARISEN BETWEEN THE PARTIES UNDER THE CONSULTANCY AGREEMENT DATED 11.02.2025, AT ANNEXURE - A AND AT ARTICLE 18.2 (DISPUTE RESOLUTION) OF THE SAID AGREEMENT OR IN THE

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ALTERNATIVE, APPOINT ANY OTHER INDEPENDENT AND IMPARTIAL SOLE ARBITRATOR TO ADJUDICATE THE DISPUTES BETWEEN THE PARTIES IN ACCORDANCE WITH LAW.

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 Consultancy Agreement dated 11.02.2025, particularly in terms of Clause 18.2 thereof, produced at Annexure-A.

2. The brief facts of the case are that the petitioner is a qualified medical professional, who was engaged by the respondent under a consultancy Agreement dated 11.02.2025 (Annexure-A) to render medical consultancy services. Subsequently, disputes arose between the parties in relation to the said Agreement.

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3. As the disputes arose between the parties, the petitioner, invoking the arbitration clause contained in the Agreement, issued a notice dated 15.04.2026 vide Annexure-D, to the respondent under Section 21 of the Act. The said arbitration clause 18.2 reads as under:

> *"18.2. In the event of any dispute arising between the parties with respect to this Agreement, the same shall be referred to the Sole Arbitrator and the arbitration shall be in accordance with Arbitration and Conciliation Act of 1996. The language of arbitration proceeding shall be English. The seat and place of arbitration shall be Bangalore and the decision of the Arbitrator shall be final and binding on both parties herein."*

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 appearing for the respondent submits that respondent has no objection to the appointment of sole Arbitrator. However, he seeks that all

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the contentions of the parties be kept open to be urged before the learned Arbitrator.

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

ORDER

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

b) Sri.R.M.Vaidya, 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,

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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.

f) Parties are directed to appear before the Director, Arbitration and Conciliation Centre, Bengaluru, on 17.02.2026 at 11:30 a.m.

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(H.T. NARENDRA PRASAD)
JUDGE

DM
LIST NO.: 1 SL NO.: 7