HC-KAR
NC: 2026:KHC:61540
CMP No. 727 of 2025
CNR: KAHC010816112025

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. 727 OF 2025

BETWEEN:

SMT PUSHPA J
W/O SHIVAJI RAO L
AGED ABOUT 55 YEARS
RESIDING AT NO.216
CHIKKA ABBAIYAPPA COMPOUND
S.M.K. SCHOOL ROAD
OLD BAIYAPPANAHALLI MAIN ROAD
MARUTHI SEVA NAGAR
BENGALURU - 560 033.

…PETITIONER

(BY SRI. CHANDRA SHEKARA H N., ADVOCATE)

AND:

1. M/S FEDORAS FACILITY SERVICES PRIVATE LIMITED
NO. 2C, 734, 1ST FLOOR
ABOVE BANK OF MAHARASHTRA
2ND MAIN, 80FT ROAD, HRBR LAYOUT
KALYAN NAGAR, BENGALURU 560043.
REP. BY ITS DIRECTOR MR. RAVIKUMAR.

2. RAVI KUMAR
S/O JAYA CHANDRA BABU,
DIRECTOR
M/S FEDORAS FACILITY SERVICES PRIVATE LIMITED
HOUSE NO. 50, 2ND CROSS, KSFC LAYOUT
VIVEKANANDA NAGAR, LINGARAJAPURAM
BENGALURU – 560033.

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HAREKOPPA THIMMANNA GOWDA

3. FENILA SAMUEL
D/O ARUL UDAYA KUMAR
DIRECTOR
M/S FEDORAS FACILITY SERVICES PRIVATE LIMITED
BUILDING NO.11, JEHOVAH SHALOM
PRIYADARSHINI, 2ND FLOOR, 4TH MAIN
BNK AVENUE, CNR LAYOUT MAIN ROAD
BABUSAB PALYA, HORAMAVU, BANASAWADI
HENNUR GARDENS, BENGALURU – 560113.

4. LAKSHMI PATHI
S/O KRISHNAPPA
R/AT NO.124/F, 2ND MAIN
OPPOSITE SAI SPECIALTY HOSPITAL
EAST OF NGEF LAYOUT, KASTURI NAGAR
BENGALURU – 560043.

…RESPONDENTS

(BY SRI.MADHU R., ADVOCATE FOR R4:
NOTICE TO R1, R2 AND R3 IS HELD SUFFICIENT
V/O DATED: 05.11.2026)

THIS CMP IS FILED UNDER SECTION 11(6) OF ARBITRATION AND CONCILIATION ACT, 1996, PRAYING TO APPOINT SOLE ARBITRATOR IN TERMS OF THE ARBITRATION CLAUSE 20 CONTAINED IN THE AGREEMENT DATED 15.06.2020 WHICH ARE AT ANNEXURE - A AND IN TERMS OF SECTION 11(6) OF THE ARBITRATION AND CONCILIATION ACT, 1996 TO ADJUDICATE UPON THE DISPUTES THAT HAVE ARISING BETWEEN THE PETITIONER AND THE RESPONDENTS IN THE INTEREST OF JUSTICE.

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

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HAREKOPPA THIMMANNA GOWDA

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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 Rental Agreement dated 15.06.2020, particularly in terms of Clause 20 thereof, produced at Annexure-A.

2. The brief facts of the case are that the respondent No.4 is the owner of the petition schedule property. Respondent No.1 is a company represented by its Directors i.e., respondent Nos.2 and 3 and they are also authorized representatives of respondent No.4. Petitioner approached the respondents upon seeing the To-Let board on the property and respondents agreed to lease the premises. Accordingly, respondent Nos.1 to 3 and petitioner entered into a Lease Agreement dated

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15.06.2020 (Annexure-A). Subsequently, disputes arose between the parties in relation to the said Agreement.

3. As the disputes arose between the parties, the petitioner, invoking the arbitration clause contained in the Agreement, issued a notice dated 17.11.2025 vide Annexure-E, to the respondent under Section 21 of the Act. The said arbitration clause 20 reads as under:

> *"20. Any dispute arising out of or in connection herewith shall be referred to arbitration, arbitrator appointed jointly by the Authorised Representative of LESSOR and the LESSEE in accordance with the provision of The Arbitration and Conciliation Act, 1966 and shall be held in Bangalore."*

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

5. Notice issued by this Court to respondent Nos.1 to 3 is held sufficient.

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6. The learned counsel appearing for the respondent No.4 submits that respondent No.4 has no objection to the appointment of sole Arbitrator. However, he seeks that all the contentions of the parties be kept open to be urged before the learned Arbitrator.

7. 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.

8. Accordingly, the following:

ORDER

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

b) Sri.Raghunath.M.L., retired District Judge, is appointed as the Sole Arbitrator in the present

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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 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 17.12.2026 at 11:30 a.m.

Digitally Signed by NARENDRA PRASAD HAREKOPPA THIMMANNA GOWDA

(H.T. NARENDRA PRASAD)
JUDGE

DM LIST NO.: 1 SL NO.: 67