



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF JANUARY, 2025

PRESENT

THE HON'BLE MR JUSTICE V KAMESWAR RAO

AND

THE HON'BLE MR JUSTICE S RACHAIAH

MISCELLANEOUS FIRST APPEAL NO. 251 OF 2025 (AA)

BETWEEN:

M/S R K INFRA AND ENGINEERING (INDIA) PVT LIMITED
HAVING ITS REGISTERED OFFICE AT
NO 1-2-39/10
AND 11, 5TH FLOOR
R K ASOKA, NIZMAPET ROAD
HYDERNAGAR, KUKATAPALLY
HYDERABAD - 500 085.
REP BY ITS MANAGING DIRECTOR
MR. BITRAGUNTA RAVIKIRAN REDEDY

...APPELLANT

(BY SRI. V SRIKANTHA RAO, ADVOCATE)

AND:

M/S THE SANDUR MANGANESE AND IRON ORE LTD
A COMPANY INCORPORATED UNDER THE INDIAN
COMPANIES ACT 1956
HAVING ITS REGISTERED OFFICE AT NO. 9
"SANDUR HOUSE", BELLARY ROAD
SADASHIVANAGAR, BENGALURU - 560 080.

...RESPONDENT

THIS MFA IS FILED UNDER SECTION 37(1)(C) OF THE
ARBITRATION AND CONCILIATION ACT, AGAINST THE ORDER
DATED 30.11.2024 PASSED IN COM.A.P.NO. 132/2023 ON THE
FILE OF THE LXXXIII ADDITIONAL CITY CIVIL AND SESSIONS
JUDGE, COMMERCIAL COURT, BENGALURU (CCH-8).

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY,
JUDGMENT WAS DELIVERED THEREIN AS UNDER:





CORAM: HON'BLE MR JUSTICE V KAMESWAR RAO
and
HON'BLE MR JUSTICE S RACHAIAH

ORAL JUDGMENT

(PER: HON'BLE MR JUSTICE V KAMESWAR RAO)

1. Learned counsel for the appellant states that inadvertently appeal has been filed as MFA.

2. We also note that even the registry has raised an objection on the maintainability of the appeal against an order passed by the Commercial Court, Bengaluru. He states that permission be granted to convert the MFA as commercial appeal.

3. If that be so, counsel for the appellant is permitted to convert the MFA as a commercial appeal. Necessary corrections be made in the appeal memo.

For the purpose of statistics, this MFA shall be considered as disposed of.

Sd/-
(V KAMESWAR RAO)
JUDGE

Sd/-
(S RACHAIAH)
JUDGE