



NC: 2026:KHC:17210
WP No. 4382 of 2022
C/W WP No. 4271 of 2022
WP No. 4387 of 2022
AND 1 OTHER

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.G.S. KAMAL

WRIT PETITION NO.4382 OF 2022 (GM-RES)

C/W

WRIT PETITION NO.4271 OF 2022 (GM-RES)

WRIT PETITION NO.4387 OF 2022 (GM-RES)

WRIT PETITION NO.4540 OF 2022 (GM-RES)

IN WP NO.4382/2022

BETWEEN:

THE EXECUTIVE ENGINEER
KARNATAKA HOUSING BOARD
DISTRICT CO-ORDINATION OFFICE
BELLARY-583 101

...PETITIONER

(BY SRI BASAVARAJ V. SABARAD, SR. COUNSEL FOR
SRI H. L. PRADEEP KUMAR, ADVOCATE)

AND:

1. M/S. ASSOCIATED CONSTRUCTIONS
CIVIL ENGINEERS AND CONTRACTORS
NO.22, GROUND FLOOR, 5TH CROSS
HANUMANTHAIAH LAYOUT
NEAR S.R.K. INDIAN SCHOOL
KODIGEHALI
SAHAKARANAGARA POST
BENGALURU-560 092
REP. BY ITS PARTNERS
MR. ASHFAQ AHMED AND MR. K. MUNIKRISHNA

Digitally
signed by
SUMA B N
Location:
HIGH
COURT OF
KARNATAKA



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2. SRI M.V.S. RAO
SOLE ARBITRATOR
NO.282, ARAKERE GATE
LAKSHMI LAYOUT
7TH CROSS, 2ND MAIN ROAD
BANNERGHATTA ROAD
BENGALURU-560 076

...RESPONDENTS

(BY SRI ASHOK HARANAHALLI, SR. COUNSEL FOR
SRI VARUN GOWDA, ADVOCATE FOR R-1;
SRI K. VIJAYA KUMAR, ADVOCATE FOR R-2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALL
FOR RECORDS AND QUASH/SET ASIDE THE ORDER DATED
21.01.2022 PASSED IN COM.A.S.NO.12/2017 BY THE LXXXVIII
ADDL. CITY CIVIL AND SESSIONS JUDGE, (EXCLUSIVE
COMMERCIAL COURT), BENGALURU CITY (CCH-89) PRODUCED
AT ANNEXURE-F AND ETC.

IN WP NO.4271/2022

BETWEEN:

THE EXECUTIVE ENGINEER
KARNATAKA HOUSING BOARD
DIVISION OFFICE
BENGALURU (U) DIVISION
BENGALURU-560 001

...PETITIONER

(BY SRI BASAVARAJ V. SABARAD, SR. COUNSEL FOR
SRI H. L. PRADEEP KUMAR, ADVOCATE)

AND:

1. M/S. ANCHOR LINES (P) LTD.
CIVIL ENGINEERS AND CONTRACTORS
KERALA SAMAJAM COMPLEX
K. S. RAO ROAD



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MANGALORE-575 001
REPT. BY MANAGING DIRECTOR

2. SRI M.V.S. RAO
SOLE ARBITRATOR
NO.282, ARAKERE GATE, LAKSHMI LAYOUT
7TH CROSS, 2ND MAIN ROAD
BANNERGHATTA ROAD
BENGALURU-560 076

...RESPONDENTS

(BY SRI UDAYA PRAKASH MULIYA, ADVOCATE FOR R-1;
R-2 IS SERVED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
CALL FOR RECORDS AND QUASH/SET ASIDE THE ORDER
DATED 21.01.2022 PASSED IN COM.A.S.NO.8/2017 BY THE
LXXXVIII ADDL. CITY CIVIL AND SESSIONS JUDGE,
(EXCLUSIVE COMMERCIAL COURT), BENGALURU CITY
(CCH-89) PRODUCED AT ANNEXURE-F AND ETC.

IN WP NO.4387/2022

BETWEEN:

THE EXECUTIVE ENGINEER
KARNATAKA HOUSING BOARD
MYSURU DIVISION
MYSURU-570 001

...PETITIONER

(BY SRI BASAVARAJ V. SABARAD, SR. COUNSEL FOR
SRI H. L. PRADEEP KUMAR, ADVOCATE)

AND:

1. M/S. ANCHOR LINES (P) LTD.
CIVIL ENGINEERS AND CONTRACTORS
KERALA SAMAJAM COMPLEX
K. S. RAO ROAD
MANGALORE-575 001



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REPT. BY MANAGING DIRECTOR

2. SRI M.V.S. RAO
SOLE ARBITRATOR
NO.282, ARAKERE GATE, LAKSHMI LAYOUT
7TH CROSS, 2ND MAIN ROAD
BANNERGHATTA ROAD
BENGALURU-560 076

...RESPONDENTS

(BY SRI UDAYA PRAKASH MULIYA, ADVOCATE FOR R-1;
R-2 IS SERVED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR RECORDS AND QUASH/SET ASIDE THE ORDER DATED 21.01.2022 PASSED IN COM.A.S.NO.7/2017 BY THE LXXXVIII ADDL. CITY CIVIL AND SESSIONS JUDGE, (EXCLUSIVE COMMERCIAL COURT), BENGALURU CITY (CCH-89) PRODUCED AT ANNEXURE-F AND ETC.

IN WP NO.4540/2022

BETWEEN:

THE EXECUTIVE ENGINEER
KARNATAKA HOUSING BOARD
DIVISION OFFICE
KALABURAGI (GULBARGA)-585 101

...petitioner

(BY SRI BASAVARAJ V. SABARAD, SR. COUNSEL FOR
SRI H. L. PRADEEP KUMAR, ADVOCATE)

AND:

1. M/S. ASSOCIATED CONSTRUCTIONS
CIVIL ENGINEERS AND CONTRACTORS
NO.22, GROUND FLOOR, 5TH CROSS
HANUMANTHAIAH LAYOUT



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NEAR S.R.K. INDIAN SCHOOL
KODIGEHALI
SAHAKARANAGARA POST
BENGALURU-560 092
REP. BY ITS PARTNERS
MR. ASHFAQ AHMED AND MR. K. MUNIKRISHNA

2. SRI M.V.S. RAO
SOLE ARBITRATOR
NO.282, ARAKERE GATE, LAKSHMI LAYOUT
7TH CROSS, 2ND MAIN ROAD
BANNERGHATTA ROAD
BENGALURU-560 076

...RESPONDENTS

(BY SRI ASHOK HARANAHALLI, SR. COUNSEL FOR
SRI VARUN GOWDA, ADVOCATE FOR R-1;
SRI K. VIJAYA KUMAR, ADVOCATE FOR R-2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
CALL FOR RECORDS AND QUASH/SET ASIDE THE ORDER
DATED 21.01.2022 PASSED IN COM.A.S.NO.13/2017 BY
THE LXXXVIII ADDL. CITY CIVIL AND SESSIONS JUDGE,
(EXCLUSIVE COMMERCIAL COURT), BENGALURU CITY
(CCH-89) PRODUCED AT ANNEXURE-F.

THESE PETITIONS, COMING ON FOR FURTHER HEARING,
THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE M.G.S. KAMAL



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ORAL ORDER

Heard learned Senior counsel appearing for the petitioners and learned counsel for the respondents

2. These writ petitions arise out of an order dated 21.02.2022, passed in Com.A.S.Nos.07/2017, 08/2017, 12/2017 and 13/2017, pending consideration on the file of LXXXVIII Additional City Civil and Sessions Judge (Exclusive Commercial Court), Bengaluru City (hereinafter referred to as 'the Commercial Court'). In and by which, the Commercial Court while accepting the affidavit filed by arbitrator-defendant No.2 had directed the parties to produce the documents, which were in their possession and to address the arguments by the next date of hearing.

3. The aforesaid commercial suits have been filed by the petitioners herein being aggrieved by the arbitral award passed by the arbitrator-defendant No.2. It appears after passing of the award the issue came up with regard to handing over of the arbitration files/records. According to arbitrator-defendant No.2, the entire records were purportedly handed over to one Uday Kumar, who was working as an employee of the Karnataka Housing Board. In this regard, an affidavit came to be filed by arbitrator-defendant No.2 regarding he having handed over the records pertaining to arbitral proceedings to said Uday Kumar. Which fact has been denied by the



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petitioners herein. Even said Uday Kumar has also filed an affidavit denying receipt of the records.

4. It is submitted across the Bar that the arbitrator-defendant No.2 passed away on 30.01.2026. However, the Commercial Court accepting the affidavit filed by arbitrator-defendant No.2 and also in view of the fact that the records would be available with the petitioners herein, had directed the parties to file the available records and to proceed the matter.

5. That during the hearing of these petitions, upon the suggestion made, the parties have exchanged the records which according to them form part of the proceedings of the arbitration. However, they also submit that some of the records are not available.

6. Learned Senior counsel appearing for the parties on instructions submit that liberty may also be reserved to the parties to produce further documents as and when available with the direction to the Commercial Court to take on record and the same would serve the purpose.

7. In view of the above facts and circumstances and in the light of the fact that the parties have now exchanged the records,



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they shall submit the same before the Commercial Court, who shall proceed with the matter in accordance with law.

8. It is made clear should the parties come across further documents which form part of the arbitral proceedings, with the consent, the same shall be taken on record and opportunity in this regard shall also be provided.

9. It is submitted that the next hearing date of the proceedings is scheduled on 04.04.2026, the Commercial Court shall permit the parties to submit the records and thereafter take up the matter for final disposal and dispose of the matter in accordance to law.

10. In view of the peculiar facts and circumstances of the matter the interim order staying enforcement of the award which was earlier granted shall stand extended until disposal of the arbitral proceedings.

11. With the above observation, writ petitions are ***disposed of.***

**Sd/-
(M.G.S. KAMAL)
JUDGE**