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NC: 2026:KHC:21455
CMP No. 95 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

CIVIL MISC. PETITION NO.95 OF 2025

BETWEEN:

1. SMT.K.S.PARIMALA
W/O LATE.S.K. CHANDRASHEKAR
AGED ABOUT 72 YEARS,
RESIDING AT NO.1234,
GANGOTHRI NIVAS M.C.ROAD,
MADDUR
MANDYA DISTRICT.

...PETITIONER

(BY SMT. SINCHANA M.R., ADVOCATE)

AND:

1. M/S. ESTELLAR CONSTRUCTIONS PRIVATE LTD
ALSO KNOWN AS SPSC ENGINEERING AND
CONSTRUCTIONS LTD.,
HAVING ITS OFFICE AT
BUILDING NO.162, M.K.MAPLE,
9TH CROSS ROAD, HOYSALA NAGAR,
INDIRANAGAR,
BENGALURU -560038
REPRESENTED BY ITS DIRECTORS,
SRI. SATHISH KUMAR VENKATESAN
SRI. BRIJESH SRINIVAS YADAV.





2. SRI.SATHISH KUMAR VENKATESAN
DIRECTOR
M/S ESTELLAR CONSTRUCTIONS PRIVATE LTD
NO. 162, M K MAPLE
9TH CROSS ROAD
HOYSALA NAGAWR
INDIRANAGAR
BENGALURU - 560 038.
3. SRI. BRIJESH SRINIVAS YADAV.
DIRECTOR
M/S ESTELLAR
CONSTRUCTIONS PRIVATE LTD.,
NO.162, M K MAPPLE
9TH CROSS ROAD
HOYSALA NAGAR
INDIRANAGAR
BENGALURU - 560 038.

...RESPONDENTS

(BY SRI. PRASHANTH KUMAR S.T., ADVOCATE)

THIS CMP IS FILED UNDER SECTION 11(5) OF THE ARBITRATION AND CONCILIATION ACT, 1996 READ WITH CLAUSE 2 OF THE APPOINTMENT OF ARBITRATORS BY THE CHIEF JUSTICE OF KARNATAKA HIGH COURT SCHEME, 1996, PRAYING TO APPOINTMENT OF A ARBITRATOR IN ACCORDANCE WITH CLAUSE 32 OF ANNEXURE-A (PRINCIPAL JUDGMENT AND DECREE AGREEMENT, DATED 15.10.2021 AND CLAUSE 32 OF ANNEXURE-C (REGISTERED JD AGREEMENT DATED 02.12.2022).

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



CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL ORDER

1. Heard Smt. Sinchana M.R., learned counsel appearing for the petitioner and Sri. Prashanth Kumar S.T., learned counsel appearing for the respondents.
2. It is argued by Smt. Sinchana M.R. learned counsel appearing for the petitioner by referring to Clause 32 of the Joint Development Agreement (Annexure-C), that for resolution of dispute between the parties is concerned, the appointment of an Arbitrator is necessitated and accordingly sought for interference of this Court.
3. Per contra, Sri. Prashant Kumar S.T., learned counsel appearing for the respondents submitted that, an Application has been made before the competent Court under Section 9 of the Arbitration and Conciliation Act, 1996, and therefore, sought to oppose the appointment of the Arbitrator. In reply to the same, Smt. Sinchana M.R., learned counsel, submitted that, the petition under Section 9 of the Arbitration and Conciliation Act was filed seeking an order to restrain the



respondent from alienating the land and further the said petition is disposed of by the competent Court.

4. In that view of the matter since Clause 32 of the Joint Development Agreement (Annexure-C), dated 02.12.2022 provides for resolution of disputes between the parties through arbitration, I am of the view that, appointment of an Arbitrator is necessitated. Accordingly, Hon'ble Justice Shri. A.N. Venugopala Gowda, former Judge of this Court, is hereby appointed as the Arbitrator to resolve the disputes between the parties.

5. Since parties are represented through their learned counsel, the parties are directed to appear before the Arbitration and Conciliation Centre, Race Course Road, Bengaluru, on 04.06.2026 at 11.00 a.m. On appearance of the parties, learned Arbitrator is requested to dispose of the matter.

6. The Registry is directed to communicate this order to the Arbitration and Conciliation Centre, Bengaluru and also to Hon'ble Justice Shri. A.N. Venugopala Gowda, former Judge of this Court, forthwith.



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7. Accordingly, this Civil Miscellaneous Petition stands disposed of.

8. In view of disposal of the main matter, I.A.1/2025 does not survive for consideration.

**SD/-
(E.S.INDIRESH)
JUDGE**

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