



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF MARCH, 2026

BEFORE

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

CIVIL MISCELLANEOUS PETITION NO.93 OF 2023

BETWEEN:

M/S POPULACE INFRA CONSTRUCTION PVT. LTD.,
NO.42, 1ST FLOOR, 1ST MAIN, 11TH CROSS,
MARUTHI LAYOUT, DASARAHALLI,
BENGALURU - 560 024.
REP. BY ITS MANAGING DIRECTOR,
SRI. MAHENDRA K.
S/O KRISHNAPPA,
AGED ABOUT 35 YEARS.

...PETITIONER

(BY SRI. SIDDAPPA V.D., ADVOCATE (ABSENT))

AND:

1. M/S PASHMINA DEVELOPERS
HAVING ITS BRANCH OFFICE AT:
NO.17, NEXT TO EVOMA HOTEL,
OLD MADRAS ROAD,
BHATTARAHALLI,
BENGALURU - 560 049.
REP. BY ITS AUTHORIZED SIGNATORY.

2. M/S LILLY REALITY PVT. LTD.
HAVING ITS OFFICE AT:
NO.254A, 3RD FLOOR, BANDBOX HOUSE,
DR. ANNIE BESANT ROAD,
OPP. SALMIRA COLLEGE,
MUMBAI - 400 030.
REP. BY ITS MANAGING DIRECTOR/DIRECTOR.

...RESPONDENTS

(BY SRI. SHRIKARA P.K., ADVOCATE FOR R2)



THIS CIVIL MISCELLANEOUS PETITION IS FILED UNDER SECTION 11(6)(a) OF THE ARBITRATION AND CONCILIATION ACT, 1996, PRAYING TO APPOINT SHRI. VEERANNA G. TIGADI AS SOLE ARBITRATOR TO RESOLVE THE EXISTING DISPUTE BETWEEN THE PARTIES HEREIN IN TERMS OF THE ARBITRATION CLAUSE NO.15.1 CONTAINED IN THE CONTRACT AGREEMENT PRODUCED AT ANNEXURE-B.

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

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

ORAL ORDER

On 20th February, 2026, this Court passed the following:

"ORAL ORDER

None appears for the petitioner.

Finally, a week's time is granted to take steps subject to payment of cost of Rs.2,000/- payable to the Bengaluru Professional Benevolent Fund, Kotak Mahindra Bank, High Court Building, Bengaluru-01, failing which, the petition shall be listed for dismissal on 26.02.2026."

2. Again, the matter was listed on 26th February, 2026. On the said date also, though the matter was called twice, there is no representation for the petitioner.

3. On 16th March, 2026, the matter was adjourned to 23rd March, 2026.

4. Today, i.e., on 23rd March, 2026, the matter was called, however, there is no representation for the petitioner



**NC: 2026:KHC:16284
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and also the order dated 20th February, 2026 has not been complied with by the petitioner. Therefore, I am of the view that the petitioner is diligently not pursuing the matter. Hence, the Civil Miscellaneous Petition is ***dismissed for non-prosecution.***

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

ARK
List No.: 1 Sl No.: 71