



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

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

CIVIL MISCELLANEOUS PETITION NO.222 OF 2025

BETWEEN:

MR. MOHAMMED SHARIF CHAMUNDI
S/O ABDUL KAREEM,
AGED ABOUT 68 YEARS,
R/O NO.1, WALVEKAR PLOT,
KESHWAPUR, HUBBALLI,
DHARWAD - 580 023.

...PETITIONER

(BY SRI. DEEPAK METHRE, ADVOCATE)

AND:

MRS. HUSNA
D/O ABDUL KADAR,
AGED ABOUT 43 YEARS,
R/O D.NO.102, 1ST CROSS,
PENSION MOHALLA, B.H. ROAD,
SHIVAMOGGA.

...RESPONDENT

(BY SRI. ISMAIL MUNEEB MUSBA, ADVOCATE)

THIS CIVIL MISCELLANEOUS PETITION IS FILED UNDER SECTION 11(6) READ WITH SECTION 11(10) OF ARBITRATION AND CONCILIATION ACT, 1996, PRAYING TO APPOINT A SUITABLE ARBITRATOR TO RESOLVE TH DISPUTE BETWEEN THE PARTIES I.E., THE PETITIONER AND RESPONDENT IN TERMS OF CLAUSE 18 OF THE DEED OF PARTNERSHIP DATED 25TH JANUARY, 2017 VIDE ANNEXURE-B IN THE INTEREST OF JUSTICE AND EQUITY.

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

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





ORAL ORDER

In this petition, the petitioner is seeking an appointment of Arbitrator in terms of Clause 18 of the Deed of Partnership dated 25th January, 2017 (Annexure-B) to resolve the dispute between the parties.

2. Heard Sri. Deepak Methre, learned counsel appearing for the petitioner and Sri. Ismail Muneeb Musba, learned counsel appearing for the respondent.

3. Though the learned counsel Sri. Ismail Muneeb Musba, appearing for the respondent opposed the petition for appointment of Arbitrator to resolve the dispute between the partners to the deed, the same cannot be connected with the Joint Development Agreement dated 18th January, 2014.

4. Taking into consideration the fact that, Clause 18 of the Deed of Partnership dated 25th January, 2017 provides for resolution of dispute through arbitration, I am of the view that, appointment of Arbitrator is necessary to resolve the dispute between the parties.

5. Therefore, Sri. H.V. Ramachandra Rao, District Judge (Retired) is appointed as an Arbitrator to resolve the



dispute between the parties in the Arbitration and Conciliation Centre (Domestic and International), Bengaluru.

6. All claims and contentions of the parties are kept open to be decided by the Arbitral Tribunal.

7. A copy of this order be sent forthwith to the Arbitration and Conciliation Centre (Domestic and International), Khanija Bhavan, Bengaluru for proceeding further in the matter.

8. Registry is directed to return the original documents if any, produced by the parties, after obtaining photostat copy of the same for the file.

Accordingly, Civil Miscellaneous Petition is ***disposed of.***

SD/-
(E.S. INDIRESH)
JUDGE

ARK
List No.: 1 Sl No.: 28