



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF OCTOBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

CIVIL MISC. PETITION NO. 187 OF 2024

BETWEEN:

1. SMT. R PREMAVATHI,
AGED ABOUT 63 YEARS,
W/O SRI N KODANDA RAMA REDDY,
R/AT NO.758, FERNS PARADISE,
9TH STREET, DOEDDANEKKUNDI,
OUTER RING ROAD, BENGALURU-560 037.
2. SRI M SATISH,
AGED ABOUT 39 YEARS,
S/O SRI N MUNI REDDY,
R/AT NO.3033, OPP. POST OFFICE ROAD,
DODDANEKKUNDI, BENGALURU-560 037.
3. SRI M ROOPESH,
AGED ABOUT 41 YEARS,
S/o. N SRI MUNI REDDY,
R/AT NO.3033, OPP. POST OFFICE ROAD,
DODDANEKKUNDI, BENGALURU-560037.

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA

(BY SRI ABHINAV RAMANAND A, ADVOCATE)

...PETITIONERS

AND:

M/S. MSR DWELLING PRIVATE LIMITED,
A COMPANY REGISTERED UNDER
THE INDIAN COMPANIES ACT,
HAVING ITS OFFICE AT NO.595,
4TH FLOOR, 7TH MAIN, MICO LAYOUT,
BTM 2ND STAGE, BANGALORE-560 078.
REP. BY ITS DIRECTOR,
SRI MADHUSUDHAN, S REDDY,
AGED ABOUT 47 YEARS,



S/O SREERAMA REDDY.

...RESPONDENT

(BY SRI CHENNAKESHA B S, ADVOCATE)

THIS CIVIL MISC. PETITION IS FILED UNDER SEC.11(5) OF THE ARBITRATION AND CONCILIATION ACT, 1996 PRAYING THAT THIS HON'BLE COURT MAY BE PLEASED TO (A) APPOINT AN SOLE ARBITRATOR IN TERMS OF THE ARBITRATION CLAUSE 25 CONTAINED IN THE REGISTERED JOINT DEVELOPMENT AGREEMENT DATED 30.10.2021 AT ANNEXURE-A IN TERMS OF SECTION 11(5) OF THE ARBITRATION AND CONCILIATION ACT, 1996 TO ENTER REFERENCE AND ADJUDICATE THE DISPUTE BETWEEN THE PARTIES ETC.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioners are before this Court seeking for the following reliefs;

- a. "Appoint an Sole Arbitrator in terms of the Arbitration Clause 25 contained in the registered Joint Development Agreement dated 30.10.2021 at Annexure-A in terms of Section 11(5) of the Arbitration and Conciliation Act, 1996 to enter reference and adjudicate the dispute between the parties;*
- b. Grant costs;*
- c. Such other relief/s as this Hon'ble Court deems fit to grant in the circumstances of the case and in the interest of justice and equity."*

2. The petitioners and respondent have entered into a Joint Development Agreement and as per clause 25



of the agreement, the dispute is required to be referred to arbitration. The said clause reads as under:-

"Any proceedings arising out of or in connection with this Agreement may be brought in any courts of competent jurisdiction in Bangalore only. Any notice of proceedings or other notices in connection with prior which would give effect to any such proceedings may, without prejudice to any method of service, be served on any party in accordance with this Agreement."

3. Both the counsel submit that a former judge of this Court may be appointed to arbitrate the dispute between the parties.
4. In that view of the matter, I pass the following:

ORDER

- i) CMP is ***allowed***.
- ii) Dr.Justice Vineet Kothari, former Judge of this Court and former Acting Chief Justice of High Court of Gujarat and Madras is appointed as a sole Arbitrator to arbitrate the dispute between the parties under the aegis of the Arbitration Centre attached to this Court.



- iii) Registry is directed to forward a copy of this order to the Director, Arbitration and Conciliation Centre for doing the needful.
- iv) Since the order is passed in the presence of all the counsel, they shall appear before the Director, Arbitration and Conciliation Centre without requirement of any notice on **27.10.2025 at 2.30 p.m.**

SD/-
(SURAJ GOVINDARAJ)
JUDGE

PRS
List No.: 1 Sl No.: 57