



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF OCTOBER, 2025

BEFORE

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

WRIT PETITION NO.13268 OF 2022 (GM-RES)

BETWEEN:

M/S MANGALORE REFINERY AND
PETROCHEMICALS LTD.
(PREVIOUSLY KNOWN AS M/S ONGC MANGALORE
PETROCHEMICALS LTD.)
(A COMPANY INCORPORATED UNDER
THE PROVISIONS OF THE COMPANIES ACT)
GOVERNMENT OF INDIA ENTERPRISE,
AROMATIC COMPLEX,
SEZ LUNIT, MANGALORE SPECIAL ECONOMIC ZONE,
PERMUDE,
MANGALURU - 574 509.
REP. BY SRI.VIJENDRA BHAT P.
SENIOR MANAGER (CIVIL).

...PETITIONER

(BY SRI. RAYAPPA Y. HADAGALI, ADVOCATE)

AND:

M/S. NITYANAND INFRASTRUCTURE LIMITED
(REGD. UNDER THE COMPANIES ACT)
REGISTERED OFFICE AT:
711, HIGHWAY COMMERCE CENTRE,
I B PATEL ROAD
GOREGOAN (E)
MUMBAI - 400 063.
AND A BRANCH OFFICE AT:
PLOT NO.16, KIADB,
KOLNAD INDUSTRIAL AREA, MULKI,
MANGALURU - 574 154
REP. BY ITS GENERAL MANAGER.

...RESPONDENT

(BY SMT. AKKAMAHADEVI HIEMATH, ADVOCATE)



THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, PRAYING TO SET-ASIDE THE ORDER DATED 26TH MAY, 2022 PASSED ON I.A.NO.VIII IN AC NO.144/2019 BY THE LEARNED ARBITRATOR BEFORE THE ARBITRATION AND CONCILIATION CENTRE AT BENGALURU VIDE ANNEXURE-K; AND ETC.

THIS PETITION COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

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

ORAL ORDER

In this writ petition, the petitioner is challenging the order dated 26th May, 2022 passed on IA.No.VIII in AC No.144/2019 by the learned Arbitrator before the Arbitration and Conciliation Centre, Bengaluru (Domestic and International).

2. Heard Sri. Rayappa Y. Hadagali, learned counsel appearing for the petitioner and Smt. Akkamahadevi Hiremath, learned counsel appearing for the respondent.

3. The Division Bench of this Court in the case of ***RADIANT INFOSYSTEMS LIMITED REP. BY ITS AUTHORISED REPRESENTATIVE AND SENIOR PROJECT MANAGER vs. THE KARNATAKA STATE ROAD TRANSPORT***



CORPORATION LIMITED REP. BY ITS MANAGING DIRECTOR reported in *ILR 2018 KAR 4873* held that the High Court in the Writ Jurisdiction will not interfere in an interlocutory order passed by the Arbitrator in the pending Arbitral proceedings and the party aggrieved may reserve its right to lay a challenge to such an interlocutory order, if and when it suffers an adverse final award.

4. Therefore, following the law declared by the Division Bench of this Court in the case of **RADIANT INFOSYSTEMS LIMITED** (supra), keeping open all contentions with a liberty to the petitioner to raise contentions raised herein, if and when it suffers an adverse final award in the appeal proceedings, writ petition is **disposed of**.

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

ARK
List No.: 1 Sl No.: 50