

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF OCTOBER 2025

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE C.M. POONACHA

COMMERCIAL APPEAL NO. 312 OF 2025

BETWEEN

1. KRISHNA BHAGYA JALA -
NIGAM LTD., (KBJNL),
A GOVERNMENT OF
KARNATAKA UNDERTAKING,
REP. BY IT'S MANAGING DIRECTOR,
KBJNL, PWD ANNEX,
PWD OFFICE ANNEX BUILDING,
3RD FLOOR, KR CIRCLE,
BENGALURU – 560 001.
2. THE CHIEF ENGINEER,
KBJNL (KRISHNA BHAGYA JALA NIGAM LTD)
DAM ZONE, ALMATTI,
DISTRICT VIJAYPUR – 586 201(KARNATAKA).
3. THE EXECUTIVE ENGINEER,
KBJNL (KRISHNA BHAGYA JALA NIGAM LTD),

DAM DIVISION ALMATTI,
DISTRICT VIJAYPUR – 586 201 (KARNATAKA)

...APPELLANT/S

(By Sri/Smt. : PRASHANTH B. R., ADVOCATE)

AND

- 1 . FERRO CONCRETE CONST -
(INDIA) PVT. LTD.,
HAVING IT'S
REGISTERED OFFICE AT 5A,
INDUSTRIAL AREA,
BHAGIRATHPURA,
INDORE (MP) – 452 003,
REP. BY IT'S DIRECTOR AND
RESOLVED ATTORNEY,
SRI ANUPAM BIDASARIA,
S/O DR. MAHAVIR BIDASARIA,
AGED 46 YEARS,
R/O 8A, SHRINAGAR ANNEX,
INDORE (MP) – 452 018.
- 2 . SRI JUSTICE L. SREENIVASA REDDY,
FORMER JUDGE,
HIGH COURT OF KARNATAKA,
PRESIDING ARBITRATOR,
MANOHARA NILAYA NO.21/A,
LAKSHMI ROAD,

...3

SHANTHINAGAR,
BANGALORE – 560 027.

- 3 . SRI S. RAMADAS,
FORMER CHIEF ENGINEER
PWD (KARNATAKA),
BENGALURU,
CO-ARBITRATOR,
NO.1139, 11TH MAIN,
HAMPI NAGAR,
BANGALORE – 560 104.

- 4 . SRI M. L. MADIAH,
FORMER CHIEF ENGINEER,
PWD (KARNATAKA), BENGALURU,
CO-ARBITRATOR, 1598/A,
27TH CROSS, 29TH MAIN,
BSK 2ND STAGE,
BANGALORE – 560 070.

...RESPONDENT/S

(By Sri/Smt. : BHARGAVA D. BHAT AND VYSHAK P. N.,
ADVOCATES)

COMMERCIAL APPEAL UNDER SECTION 13 (1-A) OF THE
COMMERCIAL COURTS ACT, 2015 R/W SEC.37 OF THE
ARBITRATION AND CONCILIATION ACT, 1996, PRAYING TO
ALLOW THE APPEAL AND SET ASIDE THE JUDGMENT DATED

26.03.2025 PASSED BY THE COURT OF LXXXII ADDITIONAL CITY CIVIL AND SESSIONS JUDGE AT BENGALURU (CCH 83) IN COM.AP NO. 66/2024 AT ANNEXURE A, CONSEQUENTLY SET - ASIDE THE AWARD DATED 02.12.2023 R/W CORRIGENDUM / CLARIFICATION DATED 11.01.2024 ONLY IN SO FAR AS CLAIM NO. 2, CLAIM NO. 3A, CLAIM NO. 3B, CLAIM NO. 5A CLAIM NO. 5B, CLAIM NO. 6, CLAIM NO. 8 CLAIM NO. 9 AND 10 PASSED BY RESPONDENT NO. 2 TO 4 BY AWARDING A SUM OF RS. 7,62,33,859/- (RUPEES SEVEN CRORE SIXTY TWO LAKSH THIRTY THREE THOUSAND EIGHT HUNDRED AND FIFTY NINE) ALONG WITH INTEREST AT ANNEXURE B AND C.

This Commercial Appeal coming on for Orders, this day the Court made the following order.

ORAL ORDER

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. Two weeks time is granted to cure the office objections.
2. Subject to the office objections being cured, list on 09.12.2025.

3. In the event the office objections are not cured within the aforesaid period, the appeal shall stand dismissed for non prosecution without any further orders.

**Sd/-
CHIEF JUSTICE**

**Sd/-
JUDGE**

NOTE : Vide Court Order dated 23.10.2025, the office objections are not complied with. Hence, the appeal is hereby dismissed for non prosecution.

COPY

**Sd/-
ASSISTANT REGISTRAR**

T By : SR
R By : VS
C By : GS

Ty dt : 04.12.2025
C.dt : 09.12.2025