

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. 319 OF 2025

BETWEEN

- 1 . KARNATAKA NEERAVARI -
NIGAM LTD (KNNL),
A GOVERNMENT OF
KARNATAKA UNDERTAKING,
REP. BY IT'S MANAGING DIRECTOR,
4TH FLOOR, COFFEE BOARD BUILDING,
NO.1,
DR. B. R. AMBEDKAR VEEDHI,
BENGALURU – 560 001 (KARNATAKA).

- 2 . THE EXECUTIVE ENGINEER,
KARNATAKA NEERAVARI -
NIGAM LTD (KNNL),
NO.4, BRLBC DIVISION,
BHADRAVATHI – 577 301,
DISTRICT SHIMOGA (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,
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. 65/2024 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. 11 AND 12 PASSED BY RESPONDENT NO. 2 TO 4 BY AWARDING A SUM OF RS. 3,35,24,552/- (RUPEES THREE CRORE THIRTY FIVE LAKH TWENTY FOUR THOUSAND FIVE HUNDRED AND FIFTY TWO) 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**

...5

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