



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.411 OF 2024

BETWEEN:

1. SRI. MAHADEVIAIAH
S/O LATE MARISHAMMAIAH
AGED ABOUT 68 YEARS.
2. SMT. RATHNAMMA
W/O SRI. MAHADEVIAIAH
AGED ABOUT 58 YEARS.
3. SMT. MALA
D/O SRI. MAHADEVIAIAH
AGED ABOUT 36 YEARS.
4. NAGENDRA
S/O LATE MAHADEVIAIAH
AGED ABOUT 36 YEARS.
5. SMT. BHAGYA
D/O SRI. MAHADEVIAIAH
AGED ABOUT 32 YEARS.

ALL ARE RESIDENT AT:
HENNAGARA VILLAGE, JIGANI HOBLI,
ANEKAL TALUK,
BENGALURU DISTRICT - 562 106.

...PETITIONERS

(BY SRI. PRASHANTH ARADHYA, ADVOCATE)

AND:

1. M/S REAL WORTH INFRA TECH.,
A PARTNERSHIP FIRM,

Digitally signed
by BHAGYA S A
Location: HIGH
COURT OF
KARNATAKA



HAVING ITS OFFICE AT:
NO.18, P.S.R. GARDEN,
4TH MAIN, H.G.H. LAYOUT,
GANGANAGAR,
BENGALURU - 560 032.
REP. BY ITS MANAGING PARTNER
SRI. SREEDHAR REDDY.

...RESPONDENT

(BY SRI. H. MAREGOWDA, ADVOCATE)

THIS CIVIL MISCELLANEOUS PETITION IS FILED UNDER SECTION 11(5) OF THE ARBITRATION AND CONCILIATION ACT, 1996 PRAYING TO APPOINT A SOLE ARBITRATOR IN TERMS OF THE ARBITRATION CLAUSE NO.32 OF THE JOINT DEVELOPMENT AGREEMENT DATED 25TH MARCH, 2011 VIDE ANNEXURE-A TO RESOLVE THE DISPUTE BETWEEN PETITIONERS AND THE RESPONDENT.

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

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

ORAL ORDER

In this petition, petitioners are seeking appointment of Sole Arbitrator in terms of Clause 32 of the Joint Development Agreement dated 25th March, 2011 (Annexure-A) to resolve the dispute between the parties.



2. Heard Sri. Prashanth Aradhya, learned counsel appearing for petitioners and Sri. H. Maregowda, learned counsel appearing for the respondent.

3. Sri. Prashanth Aradya, learned counsel appearing for petitioners referred to the Clause 32 of the Joint Development Agreement dated 25th March, 2011 (Annexure-A) and submitted that the petitioners have addressed a Legal Notice dated 19th July, 2024 (Annexure-B). Accordingly, he sought for appointment of Sole Arbitrator to resolve the dispute between the parties.

4. Per contra, Sri. H. Maregowda, learned counsel appearing for the respondent reiterates the averments made in the statement of objections and sought for dismissal of the petition.

5. Having heard the learned counsel appearing for the parties and taking into consideration the provision contained under Clause 32 of the Joint Development Agreement dated 25th March, 2011 (Annexure-A), I am of



the view that, a retired District Judge be appointed as Arbitrator to resolve the dispute between the parties.

6. Therefore, Dr. S.B.N. Prakash, 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.

7. In order to avoid further delay in the matter, as the parties are represented by their respective counsels, parties are directed to appear before the Arbitration and Conciliation Centre (Domestic and International), Bengaluru on 21st April, 2026 at 11.00 a.m.

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

9. 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.



10. 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.: 1