



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF FEBRUARY, 2026

PRESENT

THE HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

THE HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL

COMMERCIAL APPEAL NO. 422 OF 2023

C/W

COMMERCIAL APPEAL NO. 411 OF 2023

IN COMAP No. 422/2023

BETWEEN:

1. MR. HARISH JAGANATHAN,
AGED ABOUT 40 YEARS,
S/O MR. JAGANATHAN,
PROPRIETOR OF M/S HARI PETRO MART,
HAVING PLACE OF BUSINESS
AT SY NO.35/7/6, 1ST MILE, NH-209,
BENGALURU ROAD, KALLAHALLI KASABA
HOBLI, KANAKAPURA TALUK,
RAMANAGARA DISTRICT 562 117.

R/AT NO.3, "BHAGYALAKSHMI NILAYA",
1ST MAIN, SBM COLONY,
ADJACENT TO PUNJAB NATIONAL BANK,
ANAND NAGAR, BENGALURU 560 024.

2. MRS. SEEMA HARISH,
AGED ABOUT 36 YEARS,
W/O MR. HARISH JAGANATHAN,
R/AT NO.3, "BHAGYALAKSHMI NILAYA",
1ST MAIN, SBM COLONY,
ADJACENT TO PUNJAB NATIONAL BANK,





ANAND NAGAR, BENGALURU 560 024.

...APPELLANTS

(BY SRI GANAPATI BHAT, ADVOCATE FOR
SRI VENKATESH SOMAREDDI, ADVOCATE FOR
M/S P P HEGDE ASSTS., ADVOCATE)

AND:

BHARAT CO-OPERATIVE BANK (MUMBAI) LIMITED,
HAVING ITS REGISTERED OFFICE AT
MOHAN TERRACE, FIRST FLOOR, 64/72,
MODY STREET FORT, MUMBAI-400 001.

MALLESHWARAM BRANCH SITUATED AT
16, SRI NANJUNDESHWARA COMPLEX,
10TH CROSS, SAMPIGE ROAD,
MALLESHWARAM, BENGALURU 560 003,
REP. BY ITS AUTHORIZED SIGNATORY,
MR. UDAY M HALEANGADI.

...RESPONDENT

(BY SRI H R SUNIL KUMAR, ADVOCATE FOR C/R)

THIS COMMERCIAL APPEAL/COMAP IS FILED UNDER
SECTION 13(1-A) OF THE COMMERCIAL COURTS ACT, 2015
READ WITH SECTION 37 OF ARBITRATION AND CONCILIATION
ACT, 1996 PRAYING TO SET ASIDE THE IMPUGNED ORDER
DATED 28.08.2023 PASSED BY THE COURT OF LXXXII ADDL.
CITY CIVIL AND SESSIONS JUDGE AT BENGALURU CCH83 IN
COM AP NO. 76/2023 VIDE ANNEXURE A AND CONSEQUENTLY
SET ASIDE THE ORDER DATED 13.04.2023 PASSED BY THE
LEARNED SINGLE ARBITRATOR IN ARBITRATION CASE
NUMBER AR/BCB/CNB/MLM/343/2022 VIDE ANNEXURE B IN
THE INTEREST OF JUSTICE AND EQUITY.

IN COMAP NO. 411/2023

BETWEEN:

1. M/S. AUTO LEAGUE (PARTNERSHIP FIRM),
NO.3, BHAGYALAKSHMI NILAYA,



1ST MAIN, SHBM COLONY, ADJACENT TO
PUNJAB NATIONAL BANK, ANANDA NAGAR,
BENGALURU-560 024,
REP. BY AUTHORISED PARTNERS.

2. MR. P JAGANATHAN,
S/O MR. M PALANISWAMY,
AGED ABOUT 71 YEARS.
3. MR. HARISH JAGANATHAN,
AGED ABOUT 40 YEARS,
S/O MR. P JAGANATHAN,
PROPRIETOR OF M/S. HARI PETRO MART,
HAVING PLACE OF BUSINESS AT
SY NO.35/7/6, 1ST MILE NH-209,
BENGALURU ROAD, KALLAHALLI KASABA
HOBLI, KANAKAPURA TALUK,
RAMANAGARA DISTRICT-562 117.
4. MR. P YOGANAND,
S/O MR. PAPANNA,
AGED ABOUT 50 YEARS,
R/AT NO.19, 3RD MAIN,
DN RAMAIAH LAYOUT,
SESHADRIPURAM BENGALURU-560 020.
5. MRS. P BHAGYALAKSHMI,
W/O MR. P JAGANATHAN,
AGED ABOUT 58 YEARS.

APPELLANTS NO. 1 TO 3 AND 5 ARE R/AT
NO.3, BHAGYALAKSHMI NILAYA,
1ST MAIN SBM COLONY,
ADJACENT TO PUNJAB, NATIONAL BANK,
ANAND NAGAR, BENGALURU-560 024.

...APPELLANTS

(BY SRI GANAPATI BHAT, ADVOCATE FOR
SRI VENKATESH SOMAREDDI, ADVOCATE FOR
M/S. P P HEGDE ASSTS, ADVCOATE FOR APPELLANTS)



AND:

BHARAT COOPERATIVE BANK (MUMBAI) LIMITED,
HAVING ITS REGISTERED OFFICE AT
MOHAN TERRACE, FIRST FLOOR, 64/72,
MODY STREET FORT, MUMBAI-400 001.

MALLESHWARAM BRANCH SITUATED AT
16, SRI NANJUNDESHWARA COMPLEX,
10TH CROSS SAMPIGE ROAD,
MALLESHWARAM BENGALURU-560 003,
REP. BY AUTHORISED SIGNATORY
SRI RAVIKUMAR

...RESPONDENT
(BY SRI H.R SUNIL KUMAR, ADVOCATE FOR C/R)

THIS COMMERCIAL APPEAL / COMAP IS FILED UNDER
SECTION 13(1-A) OF THE COMMERCIAL COURTS ACT, 2015
READ WITH SECTION 37(2) OF ARBITRATION AND
CONCILIATION ACT PRAYING TO SET ASIDE THE
IMPUGNED ORDER DATED 28.08.2023 PASSED BY THE
COURT OF LXXXII ADDL. CITY CIVIL AND SESSIONS JUDGE
AT BENGALURU (CCH-83) IN COM.AP NO. 81/2023 VIDE
ANNEXURE A AND CONSEQUENTLY SET ASIDE THE ORDER
DATED 13.04.2023 PASSED BY THE LEARNED SINGLE
ARBITRATOR IN ARBITRATION CASE NUMBER
AR/BCB/CNB/MLM/344/2022 VIDE ANNEXURE-B IN THE
INTEREST OF JUSTICE AND EQUITY.

THESE APPEALS, COMING ON FOR ADMISSION, THIS
DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:



CORAM: HON'BLE MRS. JUSTICE ANU SIVARAMAN
and
HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL)

Learned counsel for the appellants seeks leave of this Court to withdraw these appeals and has filed respective memos to that effect.

2. Memos read as under:

"The Appellant does not wish to prosecute the above appeal and prays leave of this Hon'ble Court to withdraw the above appeal, in the interest of justice and equity."

3. Memos are placed on record.

4. Appeals are dismissed as withdrawn.

**Sd/-
(ANU SIVARAMAN)
JUDGE**

**Sd/-
(VIJAYKUMAR A. PATIL)
JUDGE**