

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25<sup>TH</sup> DAY OF FEBRUARY, 2022

BEFORE

THE HON'BLE MR. JUSTICE KRISHNA S.DIXIT

**CIVIL MISCELLANEOUS PETITION NO.344/2021**

**BETWEEN:**

SRI. H.L. NAGARAJA  
AGED ABOUT 71 YEARS  
S/O. MR. LAKSHMIPATHAIAH  
RESIDING AT NO.212, III STAGE  
II BLOCK, JUDGES COLONY  
BASAVESHWARANAGAR  
BANGALORE – 560 079

...PETITIONER

(BY SRI. MITHUN S.K., ADVOCATE)

**AND:**

M/S. SIDDHSHEKHA DEVELOPERS LLP  
(FORMERLY KNOWN AS M/S SIDDSHEKHA  
DEVELOPERS PVT. LTD)  
ALSO AT 1/1, N.V.HOUSE  
1<sup>ST</sup> FLOOR, H. SIDDHIAH ROAD  
BANGALORE – 560 002  
REPRESENTED BY ITS  
DIRECTOR  
MR. SHAILESH KUMAR S HARAN

...RESPONDENT

(BY SRI. SAGAR G. NAHAR, ADVOCATE FOR  
SRI. GAUTHAM CHAND S.F., ADVOCATE)

THIS CIVIL MISCELLANEOUS PETITION IS FILED UNDER SECTION 11(6) OF THE ARBITRATION AND CONCILIATION ACT, 1996 PRAYING THIS COURT TO EXERCISE THE POWER UNDER SECTION 11(6) OF THE ARBITRATION AND CONCILIATION ACT, 1996 AND APPOINT A SUITABLE PERSON AS AN ARBITRATOR FOR PETITIONER AND RESPONDENT IN PURSUANCE OF DEVELOPMENT AGREEMENT WITH THE RESPONDENT ON 22/10/2012 WHICH IS REGISTERED AS DOCUMENT NO.BSG-1-03977-2012-13, IN BOOK 1, STORED IN C.D.NO.BSGD183, BEFORE THE SUB REGISTRAR, BASAVANAGUDI, BENGALURU

AND FOR SUCH OTHER ORDERS DIRECTIONS ETC THAT THIS HON'BLE COURT MAY DEEM FIT IN THE FACTS AND CIRCUMSTANCES OF THE CASE, IN THE INTEREST OF JUSTICE AND EQUITY.

THIS CIVIL MISCELLANEOUS PETITION COMING ON FOR ADMISSION THIS DAY, THE COURT MADE THE FOLLOWING:

### ORDER

Both the sides having argued the matter for some time, unanimously submit that Hon'ble Justice Shri V Jagannathan, a retired Judge of this Court be appointed as and to be their Sole Arbitrator.

2. Accordingly this petition under Section 11(6) of the Arbitration and Conciliation Act, 1996 is allowed by appointing Hon'ble Justice Shri V Jagannathan, a retired judge of this Court to enter into the said reference of Arbitration and to act as the Sole Arbitrator in the Arbitration and Conciliation Centre (Domestic & International), Bengaluru, as per the extant Rules.

(i) A copy of this order be sent forthwith to the Arbitration and Conciliation Centre (Domestic & International), Khanija Bhavan, Bengaluru, for proceeding further in the matter.

(ii) Registry is directed to return the original documents if any, produced by the parties after obtaining photostat copies of the same for the file.

No costs.

**Sd/-  
JUDGE**

BS