

Honnappa vs M/S. Ds and Jaks Construction Pvt. Ltd.,

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Court : Karnataka

Decided On : Oct-31-2025

Judge : Suraj Govindaraj

Appeal No. : CMP/145/2024

Appellant : Honnappa

Respondent : M/S. Ds and Jaks Construction Pvt. Ltd.,

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF OCTOBER, 2025 BEFORE THE
HON'BLE MR. JUSTICE SURAJ GOVINDARAJ CIVIL MISC. PETITION
NO. 145 OF 2024 BETWEEN:

1. HONNAPPA S/O. LATE VENKATAPPA, AGED 94 YEARS,
2. JAYARAM AGED 60 YEARS, Digitally signed PETITIONERS by
SHWETHA RAGHAVENDRA (BY SRI. V.B. RAVISHANKER,
ADVOCATE) Location: HIGH COURT OF AND: KARNATAKA

1. M/S. DS AND JAKS CONSTRUCTION PVT. LTD.,

A PRIVATE LIMITED COMPANY REGISTERED WITH THE REGISTRAR OF COMPANIES HAVING ITS OFFICE AT NO. 12/1, NEEDS 3 PROJECT 276, NEXT TO KLASSIC BENCH MARK APARTMENTS, KALENA AGRAHARA, KAMMANAHALLI MAIN ROAD, -2- BANGALORE - 560 076, REPRESENTED BY ITS MANAGING DIRECTOR, D. SRINIVAS.

2. CHANDRAPPA AGED ABOUT 64 YEARS, RESIDING AT RAMANASHREE LAYOUT, DODDAKAMMANAHALLI MAIN ROAD, SOS POST, BANNERGHATTA ROAD,

3. N. ARUNA W/O. LATE RAVINDRA, AGED 54 YEARS, HULIMAVU VILLAGE, BEGUR HOBLI, RESPONDENTS (BY SRI. BHUVANENDRA RAJU P AND SRI. P.B. RAJU, ADVOCATE FOR R1; VIDE ORDER DATED 16.06.2025, NOTICE TO R2 IS DISPENSED WITH; R3 DELETED) THIS CIVIL MISC. PETITION UNDER SEC.11(6) OF THE ARBITRATION AND CONCILIATION ACT 1996 R/W RULE 2 OF SCHEME FOR APPOINTMENT OF ARBITRATOR, PRAYING THAT THIS HONBLE COURT AS ARBITRATOR AS PER JOINT

DEVELOPMENT AGREEMENT DATED 08/08/2013, ASAS ANNEXURE-A IN CLAUSE 18 COST OF THIS PETITION AND GRANT SUCH OTHER RELIEF OR RELIEFS AS THIS HONBLE COURT DEEMS FIT. THIS PETITION, COMING ON FOR ADMISSION, THIS DAY,

ORDER WAS MADE THEREIN AS UNDER:

-3- CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioners are before this Court seeking for the following reliefs:

"Wherefore, the petitioners pray that this Hon'ble Court be pleased to allow the petition and appoint any retired judge of this Hon'ble Court as Arbitrator as per joint development agreement dated 08.08.2013 as per Annexure-A in Clause 18 of this petition and grant such other relief or reliefs as this Hon'ble Court deems fit."

2. After arguing for sometime, both counsels submit

that initially the matter may be referred to mediation and in the event of mediation not being successful, an arbitrator could be appointed. In that view of the matter, I pass the following:

ORDER

i. CMP is allowed. ii. The matter is referred to mediation. The Director, Karnataka Mediation Centre to appoint a mediator to resolve the dispute between the parties. Since, order is passed in the presence of both the counsels they shall appear before -4- the Director, Karnataka Mediation Centre without requirement of any further notice at 02.30 p.m. on 12.11.2025. iii. All contentions are kept open. iv. In the event of mediation being successful, the successful mediation report to be placed before v. In the event of mediation not being successful, the Director of Mediation Center is directed to forward the copy of the file to the Director of Arbitration and Conciliation Center attached to vi. Sri.Kukkaje Ramakrishna Bhat., former Judge of this Court is appointed as a sole arbitrator to arbitrate the dispute between the parties under the aegis of the Arbitration Centre attached to this Court with the consent of both parties. SD/- (SURAJ GOVINDARAJ) JUDGE rv List No.: 1 Sl No.: 36

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