HC-KAR

NC: 2026:KHC:50784
CMP No. 176 of 2026

CNR: KAHC010262572026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

CIVIL MISC. PETITION NO. 176 OF 2026

BETWEEN:

SRI. JAYA GANESH
S/O JAYA RAMAN
AGED 57 YEARS
R/AT NO. 40, COCONUT GARDEN
KALENA AGRAHARA, NOBONAGAR
BANGALORE-560076.

...PETITIONER

(BY SRI. N SIVA SHANKAR., ADVOCATE)

AND:

1. M/S ULTRA INSTRUMENTS
NO. 39/1-9, III FLOOR, ULTRA MANOR
KRISHNA EXTN. HULIMAVU
BANGALORE-560 076
REP. BY ITS PARTNERS.

2. M/S ULTRA INTERNATIONAL
NO. 39/1-9, II FLOOR, ULTRA MANOR
KRISHNA EXTN, HULIMAVU
BANGALORE-560 076
REP. BY ITS PARTNERS.

3. M/S ULTRA LAB PRODUCTS
NO. 39/1-9, GROUND FLOOR
ULTRA MANOR, KRISHNA EXTN
HULIMAVU BANGALORE-560 076
REP. BY ITS PARTNERS

4. M/S ULTRA ASSOCIATES
NO. 39/1-9, III FLOOR, ULTRA MANOR
KRISHNA EXTN, HULIMAVU

BANGALORE-560 076
REP. BY ITS PARTNERS.

5. M/S ULTRA FINE CHEM AND INST
NO. 39/1-9, III FLOOR, ULTRA MANOR
KRISHNA EXTN, HULIMAVU
BANGALORE-560 076
REP. BY ITS PARTNERS.

6. M/S ULTRA INSTRUMENTS
NO. 26, BHAVANA COLONY
PHASE 1, BOWENPALLY
SECUNDERABD 500 001.
REP. BY ITS PARTNERS.

7. SRI T S RAJESH
S/O SOMANNA T S
AGED 50 YEARS
R/AT NO. 104, 7TH MAIN, SECTOR 1
CANARA BANK OFFICERS COLONY
NOBONAGAR,OFF B G ROAD
BANGALORE-560 076.

8. SRI ANIRUDDHA SAHA
S/O NITAIDAS SAHA ANAMITRA TOWER
A-WING, FLAT 1204, PRAKRUTI PARK
BRAHMAND, THANE, MAHARASHTRA.

9. SRI SADHAN PARIAL
S/O BISWANATH PARIAL
FLAT NO. 104, FIRST FLOOR
CLASSIQUE B NEELKANTH
PALM CO HSG SOCIETY, VIDYAPEETH
KAPURBAWDI JUNCTION
THANE, MAHARASTRA.

10. SRI SHASHI KUMAR CHERUKAT
VILLA NO. 38, ROYAL MEADOWS
KOMPALLY, HYDERABAD
TELENGANA 500014.

11. SMT VIDYA LAKSHMI JAYA GANESH
W/O JAYA GANESH
AGED 55 YEARS
R/AT NO. 40, COCONUT GARDEN
KALENA AGARAHARA, NOBONAGAR
BANGALORE-560076.

…RESPONDENTS

(BY SRI.PONNANNA M.B., ADVOCATE FOR R7 TO R9:
SMT. DEEPASHREE S, ADVOCATE FOR R10
NOTICE TO R1 TO R6 AND R11 STANDS DISPENSED WITH
V/O DATED: 07.07.2026)

THIS CMP IS FILED UNDER SECTION 11(6) OF ARBITRATION AND CONCILIATION ACT PRAYING TO APPOINT AN ARBITRATOR EMPANELED AT THE ARBITRATION AND CONCILIATION CENTER, BENGALURU ADMINISTERED BY THE HIGH COURT OF KARNATAKA TO ARBITRATE THE DISPUTE BETWEEN THE PETITIONER AND RESPONDENT NO. 7, 8, 9 AND 10 REGARDING THE DISSOLUTION OF PARTNERSHIP FIRMS RESPONDENT NO. 1-6 AS PER THE CLAUSE NO. 17 OF THE PARTNERSHIP DEEDS ANNEXURE-A3 DATED: 31.03.2011, ANNEXURE-A5 DATED: 21.10.2010, ANNEXURE-A8 DATED:31.03.2011, ANNEXURE-A10 DATED: 08.12.2010, ANNEXURE-A11 DATED: 04.09.2014 AND ANNEXURE –A13 DATED:31.03.2011.

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

CORAM: HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

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ORAL ORDER

1. This petition is filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (for short, "the Act"), seeking appointment of a Sole Arbitrator for adjudication of the disputes that have arisen between the petitioner and the respondent Nos.7 to 10 under the Partnership Deed dated 31.03.2011 (Annexure-A3), Partnership Deed dated 21.10.2010 (Annexure-A5), Partnership Deed dated 31.03.2011 (Annexure-A8), Partnership Deed dated 08.12.2010 (Annexure-A10), Partnership Deed dated 04.09.2014 (Annexure-A11), Partnership Deed dated 31.03.2011 (Annexure-A13), particularly in terms of Clause 17 thereof.

2. There are six partnership firms. The petitioner and respondent No.7 are common partners in all the six partnership firms, whereas the other respondents i.e., respondent Nos.8 to 10 are partners in the respective partnership firms. Accordingly, six separate Partnership

Deeds have been executed in respect of the said firms between the respective partners. Subsequently, disputes arose between the parties in relation to the said Partnership Deeds.

3. The aforesaid Partnership Deeds contain a common arbitration clause, namely, Clause 17 in all the Deeds, which reads as under:

> "*17. ARBITRATION: Any differences which may arise between the partners of their presence or representatives regarding the interpretation of these presence here under or any other matter of thing concerning the firm all the affairs of the firm shall be referred to the arbitration for award of arbitrators to be nominated one each by the parties of dispute, who shall nominate an umpire before entering upon the reference and in the fear of any difference of opinion between them the matter shall be referred by the umpire under the provisions of Indian Arbitration Act, 1940.*"

4. As the Partnership Deeds provide for resolution of disputes by way of arbitration, the petitioner issued

notices dated 14.10.2025, vide Annexure-E series, to the respective respondents under Section 21 of the Act, invoking the arbitration clause. The respondents have replied to the said notices. Being dissatisfied with the replies, the petitioner has filed the present petition.

5. Notice issued by this Court has been duly served upon the respondents. Respondent Nos.7 to 10 have appeared through respective counsel.

6. Learned counsel for respondent Nos.7 to 9 and learned counsel for respondent No.10 submit that they have no objection to the appointment of Sole Arbitrator.

7. In view of the above, and having regard to the existence of the arbitration clause contained in the Partnership Deeds, this Court is of the opinion that a Sole Arbitrator is required to be appointed for adjudication of the disputes between the parties. Accordingly, the following:

ORDER

a) Civil Miscellaneous Petition is **allowed**.

b) Hon'ble Mr.Justice H.N.Nagmohan Das, Former Judge, High Court of Karnataka, is appointed as the Sole Arbitrator in the present case to arbitrate the disputes between the parties at the Arbitration and Conciliation Centre (Domestic & International), Bengaluru, as per the Rules governing the said Arbitration Centre.

c) All the claims and contentions of the parties are kept open.

d) Registry is directed to communicate this order via E-mail to the Arbitration and Conciliation Centre (Domestic & International), Khanija Bhavan, Bengaluru, and also to Hon'ble Mr.Justice H.N.Nagmohan Das.

e) Registry is directed to return all the original documents produced by any of the parties after obtaining Photostat copies of the same.

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f) Parties are directed to appear before the Director, Arbitration and Conciliation Centre, Bengaluru, on **16.10.2026** at 11:30 a.m.

(H.T. NARENDRA PRASAD)
JUDGE

DM
List No.: 1 Sl No.: 37