HC-KAR
CNR: KAHC010144332026

NC: 2026:KHC:55751
CMP No. 97 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF OCTOBER, 2026

BEFORE

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

CIVIL MISC. PETITION NO. 97 OF 2026

BETWEEN:

M/S EMJAY ENGINEERING COMPANY AND
M/S JAYEM ENGINEERING COMPANY
HAVING ITS OFFICE AT
NO.70, 1ST CROSS 2ND A MAIN
DOMLUR LAYOUT, BANGALORE-560 071.

REP. BY ITS SOLE PROPRIETOR/CEO
SHRI. PJ JACOB
AGED ABOUT 74 YEARS
S/O SHRI CHACKO OUSEPH.

....PETITIONER

(BY SRI. RAVEENDRAN P., ADVOCATE)

AND:

M/S. CONFIDENT PROJECT (INDIA) LTD
(A COMPANY INCORPORATED UNDER
COMPANIES ACT 1956)
REGD. OFFICE AT NO.574
PARK HOUSE, 80 FEET ROAD
8TH BLOCK, KORAMANGALA
BANGALORE – 560095
REP. BY ITS DIRECTOR.

...RESPONDENT

(BY SMT. KRISHIKA G VAISHNAV, ADVOCATE FOR
SRI. A MAHESH CHOWDHARY., ADVOCATE)

Digitally Signed by NARENDRA PRASAD
HAREKOPPA THIMMANNA GOWDA

THIS CMP IS FILED UNDER SECTION 11(5) OF ARBITRATION AND CONCILIATION ACT PRAYING TO APPOINT SHRI. V.N. RAVINDRA, DISTRICT AND SESSIONS JUDGE (RETD), WHO IS IN THE PANEL OF THE ARBITRATORS OR ANY RETIRED DISTRICT JUDGE IN THE PANEL OF ARBITRATORS AS THE SOLE ARBITRATOR ASSISTED BY PETITIONER AND OFFICER OF RESPONDENT IN ADJUDICATING THE DISPUTE BETWEEN THE PETITIONER AND RESPONDENT WITH RESPECT TO THE CONTRACTUAL WORKS ENTRUSTED BY RESPONDENT AS PER CLAUSE NO. 32 UNDER AGREEMENT DATED 23.09.2008 WITH RETROSPECTIVE EFFECT FROM 15.11.2007 ENTERED INTO WITH M/S. JAYEM ENGINEERING COMPANY DATED 23.09.2008 IS PRODUCED AS ANNEXURE A AND ETC.

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

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

ORAL ORDER

At the outset, learned counsel appearing for the respondent has raised a preliminary objection, stating that, the petitioner is invoking the arbitration clause in relation to two different agreements which are not interconnected and it has not addressed any separate notice under Section 21 of the Arbitration and Conciliation Act. Therefore, the petition is not maintainable.

2. Learned counsel for the petitioner filed a memo seeking permission to withdraw this petition with liberty to

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HAREKOPPA THIMMANNA GOWDA

invoke the appropriate arbitration clause, in accordance with law.

3. The memo is taken on record.

4. This petition is dismissed as withdrawn, with liberty to the petitioner to invoke the arbitration clause, in accordance with law.

Digitally Signed by NARENDRA PRASAD
HAREKOPPA THIMMANNA GOWDA

(H.T. NARENDRA PRASAD)
JUDGE

CM
LIST NO.: 1 SL NO.: 80