IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 14TH DAY OF AUGUST, 2023

BEFORE

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

MISCELLANEOUS FIRST APPEAL NO. 5521 OF 2023 (AA)

BETWEEN:

NATIONAL HIGHWAYS AUTHORITY OF INDIA
PROJECT IMPLEMENTATION UNIT-MANGALORE
DOOR NO.3-29, BETHEL
THARETHOTA, NEAR PUMPWELL(NH-66)
MANGALORE-575002
REP BY ITS THE PROJECT DIRECTOR
ABDULLA JAVED AZMI

...APPELLANT

(BY SRI. PRAKASHA ANGADI B V.,ADVOCATE)

AND:

1. SRI. RAJESH SHETTY
   S/O MONAPPA SHETTY
   AGED ABOUT 48 YEARS
   R/A SHETTYPAL HOUSE
   TALAPADY VILLAGE
   MANGALORE TALUK.

2. THE ARBITRATOR AND
   DEPUTY COMMISSIONER
   DK DISTRICT, MANGALORE-575001.

3. THE SPECIAL LAND ACQUISITION OFFICER
   AND COMPETENT AUTHORITY NHAI
   N G O S BUILDING
   MINI VIDHANA SOUDHA COMPOUND
   MANGALORE-575001

...RESPONDENTS

Digitally signed by DHANALAKSHMI MURTHY
Location: High Court of Karnataka

THIS MFA IS FILED UNDER SECTION 37(1)(c) OF THE ARBITRATION AND CONCILIATION ACT, AGAINST THE ORDER DATED 05.06.2023 PASSED IN ARBITRATION PETITION NO.97/2022 THE FILE OF THE IV ADDITIONAL DISTRICT AND SESSIONS JUDGE, D.K.MANGALURU, DISMISSING THE PETITION FILED UNDER SECTION 34 OF THE OF THE ARBITRATION AND CONCILIATION ACT R/W ORDER VII RULE 1 OF CPC.

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY, THE COURT DELIVERED THE FOLLOWING:

JUDGMENT

The learned counsel for the appellant has filed a memo dated 14.8.2023 stating that the appellant may be permitted to convert this Miscellaneous First Appeal to Commercial Appeal.

The memo is placed on record.

In view of the memo filed, appellant is permitted to convert this appeal to Commercial Appeal.

For statistical purpose, the appeal is disposed of.

Sd/-
JUDGE

DM
List No.: 1 Sl No.: 21