

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**FRIDAY, THE TWENTIETH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE

ARBITRATION APPLICATION NO: 80 OF 2024

Between:

M/s. Sree Venkataraya Builders Private Ltd., Regd. Office. No.12-23-1, Industrial Area Road, Tanuku-534211, West Godavari District, Represented by its Director, Rukmini Mullapudi, W/o. Rushyant Mulpuri, Aged about 29 years, Occupation. Business, R/o. Flat No.F-4, H.No.8-2-309/1-8, Trendset Vantage, Road No.14, Banjara Hills, Hyderabad.

...Applicant/Claimant.

AND

M/s Kausalya Infra Projects Pvt. Ltd., (Formerly known as Kausalya Shelters Pvt. Ltd.) A Company incorporated under the Companies Act, 1956, Having its registered office at Plot.No.8, 2nd Floor, Dharma Reddy Colony, Phase -I, K.P.H.B, Hyderabad-500085 and its corporate office at Kapil Towers, 15th Floor, Nanakramguda, Gachibowli, Hyderabad - 500 032, Represented by its Chairman, Sri D.Ravinder Rao S/o. Chokka Rao, Aged about 50 years, Occupation. Business, R/o. Madhupala Enclave, Akber Road, Secunderabad-500 009.

...RESPONDENTS

Arbitration Application filed under Section 11 (6) (a) and Section 15 (2) of the Arbitration & Conciliation Act., 1996 R/w Scheme for Appointment of Arbitrator, 2000, on behalf of the respondent, since the respondent failed under, as per arbitration agreement in clause 26 of the development agreement dated 12.01.2015, to proceed further with the adjudication of the claims between the parties hereto from the stage where they stood at the time of the expiry of the mandate of the previous Arbitral Tribunal.

Counsel for the Petitioner: SRI. M V Durga Prasad

**Counsel for the Respondent: Sri Ghanshyamdas Mandhani,
Represents Sri Bankatlal Mandhani**

The Court made the following Order:

Mr. M.V.Durga Prasad, learned counsel for the applicant.


Mr. Ghanshyamdas Mandhani, learned counsel represents Mr. Bankatlal Mandhani, learned counsel for the respondent.

It is stated at the bar that the respondent has earlier filed Arbitration Application No.4 of 2024 under Section 29-A of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as "A&C Act"). However, the aforesaid Application has been withdrawn on 26.07.2024 and thereafter an application under Section 29-A of the A&C Act has been filed, namely, AOP. No.76 of 2024, which is pending before the XXVI Additional Chief Judge, City Civil Court, Hyderabad.

In view of pendency of AOP. No.76 of 2024, hearing of this application under Section 11 (6) of the A&C Act is deferred. However, the XXVI Additional Chief Judge, City Civil Court, Hyderabad., is directed to decide AOP. No.76 of 2024 filed by the respondent expeditiously preferably within a period of four weeks from today.

List this application after four weeks.

//TRUE COPY//

Sd/- K. SRINIVASA RAO
JOINT REGISTRAR

SECTION OFFICER

To,

1. The XXVI Additional Chief Judge, City Civil Court, Hyderabad.
(By Special Messenger)
2. One CC to Sri M V Durga Prasad, Advocate [OPUC]
3. One CC to Sri Bankatlal Mandhani, Advocate [OPUC]
4. Two CD Copies.

Jgk/PR

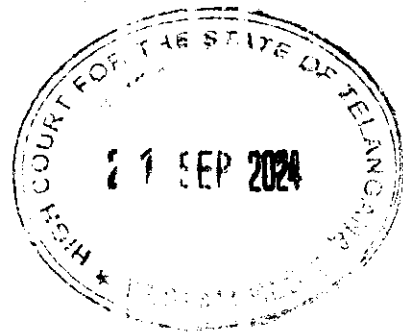


HIGH COURT

DATED:20/09/2024

ORDER

ARBAPPL.No.80 of 2024



DIRECTION

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~~_____~~
24/9/2024