

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

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

PRESENT

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

ARBITRATION APPLICATION No: 145 of 2024

Between:

CR TRUE BUILD INFRASTRUCTURE LLP, Having its Registered Office at Plot No.54, Cyber Meadows Society Botanical Garden Road, Kondapur, Hyderabad-500084.

Duly rep. by its Designated Partner S. S. Raju S/o. S.Surya Narayana Raju, Age: 63 years Occ: Business, R/o. Plot No.54, Cyber Meadows Society Botanical Garden Road, Kondapur, Hyderabad-500084.

...Applicant

AND

KIMS F & B Services, A partnership firm, having its Regd. Office At Plot No.217, Chaitanya Nagar, Amalapuram B.R.Ambedkar Konaseema District, A.P.-533291 Duly rep. by its Managing Partner Bhupathiraju Anantha Verma

...Respondent

Arbitration Application under Section 11 (5) (6) of the Arbitration and Conciliation Act, 1996 for the reasons stated in the accompanying affidavit, praying that this Hon'ble Court may be pleased to appoint a Sole Arbitrator to adjudicate the claims and disputes between the applicant and the respondent.

**Counsel for the Petitioner: Ms. DIVYA GAYATRI DATLA, appears for
Mr. A. KRISHNAM RAJU**

**Counsel for the Respondent: Mr. BENDI RAVITEJA, appears for
Mr. VAKITI VINEETH REDDY**

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE
ARBITRATION APPLICATION No.145 of 2024

ORDER:

Ms. Divya Gayatri Datla, learned counsel appears for Mr. A. Krishnam Raju, learned counsel for the applicant.

Mr. Bendi Raviteja, learned counsel appears for Mr. Vakiti Vineeth Reddy, learned counsel for the respondent.

2. This application under Section 11(5) and (6) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act') has been filed seeking appointment of an Arbitrator to adjudicate the dispute between the parties.

3. Admittedly, the parties had entered into EPC agreement dated 02.01.2023. Clause 8 of the aforesaid agreement contains arbitration clause, which is extracted below for the facility of reference.

8. JURISDICTION

- a. The Provisions of Arbitration & Conciliation Act, 1996 shall apply, Owners and CRTBI together will appoint a Sole Arbitrator mutually agreed. In case there is no agreement on the ~~name~~ of the Sole Arbitrator, then an application u/s 11(5) of the Arbitration & Conciliation Act will be filed requesting the Chief Justice of the

Hyderabad High Court to appoint a Sole Arbitrator.
Arbitration will be held in Hyderabad.

- b. The Courts in Hyderabad shall have exclusive jurisdiction in any matter or dispute arising out of or under or in respect of this Agreement.”

4. The applicant got issued a legal notice to the respondent on 07.11.2023 and the respondent sent a reply to the aforesaid legal notice on 05.12.2023.

5. Admittedly, the dispute has arisen between the parties in relation to the aforesaid Agreement. The adjudication of the dispute is therefore necessitated by a forum which has been agreed to by the parties under the aforesaid Agreement.


6. Therefore, Mr. Justice Challa Kodanda Ram, former Judge of this Court (resident of Plot No.68, Road No.71, Phase III, Jubilee Hills, Hyderabad-500034; Mobile No.8331010695) is appointed as an Arbitrator to adjudicate the dispute between the parties. The parties shall appear before the Arbitrator, along with a copy of this order. Thereupon, the sole arbitrator shall proceed with the arbitral proceedings in accordance with law.

7. Accordingly, the Arbitration Application is disposed of.
8. Office to communicate a copy of this order to the learned Arbitrator.

Miscellaneous applications, if any pending shall stand closed. There shall be no order as to costs.

Sd/- M. VIJAYA BHASKER
JOINT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. Mr. Justice Challa Kodanda Ram, Former Judge, High Court for the State of Telangana at Hyderabad (resident of Plot No.68, Road No.71, Phase III, Jubilee Hills Hyderabad-500034; Mobile No.8331010695) **(By Special Messenger) (Along with a Copy of affidavit and material papers)**
2. One CC to Mr. A. KRISHNAM RAJU, Advocate [OPUC]
3. One CC to Mr. VAKITI VINEETH REDDY, Advocate [OPUC]
4. Two CD Copies

kam/gh



HIGH COURT

DATED:20/09/2024

ORDER

ARBAPPL.No.145 of 2024

DISPOSING OF THE
ARBITRATION
APPLICATION

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~~REMA~~
~~10/27/2024~~