

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

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

PRESENT

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

ARBITRATION APPLICATION NO: 173 OF 2024

Between:

Shri, V. Lokeshwara Reddy, S/o Dasi Reddy, aged about 64 years, Occ. Ex-Serviceman, resident of H.No.9-1-224/A/2/34/8, Gandhi Nagar Langar House, Hyderabad-500 008
... PETITIONER

AND

Shri. Srinivasula Reddy Iragamreddy, S/o. Thirupal Reddy Iragamreddy, Aged about 38years, Occ. Business R/o. H.No. 1/32, Pullareddy Peta, Duvvur, Cuddapah, Andhra Pradesh.
...RESPONDENT

Arbitration Application Under Section 11 (5) & (6) of the Arbitration and Conciliation Act, 1996 R/W Scheme for Appointment of Arbitrators, 1996 praying that this Hon'ble Court may be pleased to

(a) appoint any person as sole arbitrator, as per the said arbitration Agreement dated 08-10-2018 among the petitioner and respondent and refer for arbitration, the disputes and/or differences that have arisen between the petitioners and the respondents, as more specifically detailed herein above by adjudicating preliminary issue of existence of valid arbitration agreement.

(b) award costs of the present proceedings in favour of the Petitioner and against the Respondent. and

**Counsel for the Applicant : Ms. GANIVADA S.P. DURGA GAYATRI
For SRI. E. VENKATA SIDDHARTHA**

Counsel for the Respondent: NONE APPEARED

The Court made the following ORDER:

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

ARBITRATION APPLICATION No.173 of 2024

ORDER:

Ms. Canivada S.P. Durga Gayatri, learned counsel appears for Mr. E. Venkata Siddhartha, learned counsel appears for the applicant.

None for the respondent though served.

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 Development Agreement cum General Power of Attorney dated 08.10.2018. Clause 22 of the aforesaid Agreement contains arbitration clause, which is extracted below for the facility of reference.

“22. In case of any dispute or interruption of any of the clause or any other disputes arising in the performance of this agreement, they shall be referred to arbitration by

following the provisions of arbitration and reconciliation act 1996 and subject to Hyderabad jurisdiction only.”

4. The applicants got issued a legal notice to the respondent on 29.01.2024 and the same has failed to evoke any response.
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 A. Rajasheker Reddy, a former Judge of this Court (Resident of Plot No.22A, Road No.12, M.L.A. Colony, Banjara Hills, Hyderabad-33; Mobile No.8331010691), 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/- C.V. MALLIKARJUNA VARMA
JOINT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To

1. Sri Justice A. Rajasheker Reddy , former Judge of High Court , for the State of Telangana, Resident of Plot No. 22A, Road No. 12, M.L.A. Colony, Banjara Hills, Hyderabad -33; Mobile No. 8331010691 (By Special Messenger) (along with a copy of affidavit and material papers)
2. One CC to SRI E. VENKATA SIDDHARTHA, Advocate [OPIUC]
3. Two CD Copies

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