

IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD

FRIDAY, THE TWENTY NINTH DAY OF NOVEMBER  
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE

ARBITRATION APPLICATION NO: 186 OF 2024

Between:

1. Smt. Shobha Rani Puthana, W/o. Krishna Mohan Reddy Puthana, aged about 52 years
2. Sri. Krishna Mohan Reddy Puthana, S/o. Venkata Subba Reddy Puthana, aged about 62 years
3. Ms. Sushmitha, D/o. Krishna Mohan Reddy Puthana, aged about 37 years  
(All are residents of Flat no. 202, Plot No. 572, Sri Sai Kuteer, Rd. No. 4/3A, Mathrusri, Nagar, Miyapur, Hyderabad-500049)

...Applicant / Petitioners

AND

1. Sahithi Sree Constructions, Regstd. Office at #1-98-/9/17, Plot No.77, Flat No. 201, Hara's Habitat, Jaihind Layout, Madhapur, Hyderabad, 500081  
Rep. by its Managing Partner, Sri. B. Lakshminarayana, S/o. B. Anjaneyulu, aged about 54 years, R/o. 1-98/9/17, Plot No.77, Flat No. 501, Haras Habitat, Jaihind Layout, Madhapur, Hyderabad, 500081
2. M/s. Live India Ventures and Estates, Rep. by its Managaing Partner Mr. Zaheer Abbas, S/o. Late Mr. Vishwanath Rgstd. Office at #8-2-603/13/3/N/1, Banjarahills, Road No.10, Hyderabad 500034  
Rep. by its Managing Director partner Mr. Zaheer Abbas S/o. Late Mr. Vishwanath, aged about 50 year R/o. R/o. #8-3-319/9, Yellareddyguda, Ameerpet, Hyderabad, Telangana
3. Mr. Kudaravallui Venkateshwara Badra Kumar, S/o. Late KSRRV Prasad, Aged about 51 yrs, Occ. Business, R/o. #8-3-319/9, Yellareddyguda, Ameerpet Hyderabad, Telangana
4. M/s. Kudaravalli Geeta, W/o. Kudaravallui Venkateshwara Badra Kumar, Aged about 45 yrs, Occ. Homemaker, R/o. #8-3-319/9, Yellareddyguda, Ameerpet, Hyderabad, Telangana
5. Mr. Kudaravallui Ramakrishna Kumar, S/o. Late KSRRV Prasad, Aged about 48 yrs, Occ. Business, R/o. #8-3-319/9, Yellareddyguda, Ameerpet, Hyderabad, Telangana

6. Mr. Kudaravallui Sri Lakshmi, W/o. Kudaravallui Ramakrishna, Aged about 45 yrs, Occ. Homemaker, R/o. #8-3-319/9, Yellareddyguda, Ameerpet, Hyderabad, Telangana-508254
7. Mrs. Kottapu Venkata Baby Rani, W/o. Mr. K. Madhusudhana Reddy, Aged about 43 yrs, Occ. Business R/o. Villa No. 62, Aparna Hill Park, Boulevard, Chandanagar, Hyderabad-500050

**...Respondents**

Application under Section 11 (6) of Arbitration and Conciliation Act, 1996 praying that the Hon'ble Court may be pleased to appoint a Sole Arbitrator for the purpose of adjudication of the disputes that have arisen between the Petitioner and the Respondents 1 to 7 in respect of the terms of the Agreement of Sale dated 14.12.2017. Lest serious loss will ensure to the applicants.

**Counsel for the Applicants : Ms V Soubhagya Valli  
representing Mr V Seetharama Avadhani**

**Counsel for the Respondents : ---**

**The Court made the following Order :**

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE**

**ARBITRATION APPLICATION No.186 of 2024**

**ORDER:**

Ms. V. Soubhagya Valli, learned counsel represents Mr. V. Seetharama Avadhani, learned counsel for the applicants.

2. None has appeared on behalf of respondent Nos.1 and 6 though served by way of publication in Eenadu daily newspaper dated 19.11.2024.
3. This application is filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 seeking appointment of an arbitrator to resolve the disputes between the parties.
4. Facts giving rise to filing of this application briefly stated are that the parties have entered into an agreement of sale on 14.12.2017. Clause 11.1 of the aforesaid agreement contains an arbitration clause, which is extracted below for the facility of reference:

**"11. Arbitration & Jurisdiction:**

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11.1 In the event of breach of the terms of this Agreement to Sale or in the event of any differences or disputes arising between the parties in regard to this agreement or any matter relating thereto, the same shall be in first place attempted to resolve mutually between the parties. Failing resolution, the same shall be referred to a sole arbitrator to be appointed by the parties with mutual consent and his award shall be final and binding on the parties hereto and arbitration shall be as per the provisions of the Arbitration and Conciliation Act, 1996 and amendments of year 2015 thereto in force. The Arbitration shall be conducted in English language and the place of arbitration shall be in Hyderabad.”

5. The dispute between the parties has arisen. Therefore, the applicants invoked the arbitration clause and sent a notice under Section 21 of the aforesaid Act on 14.06.2023. The respondents did not respond to the aforesaid notice. Thereupon, this application has been filed.

6. Learned counsel for the applicants submits that the dispute has arisen between the parties which requires resolution in the manner agreed to by the parties. Therefore, an arbitrator be appointed to adjudicate the dispute.

7. I have considered the submissions made on behalf of the learned counsel for the applicants.
8. The parties have entered into an agreement of sale which contains an arbitration clause. The dispute has arisen between the parties which requires resolution in the manner agreed to by the parties.
9. Therefore, Sri Justice A. Santosh Reddy, a former Judge of this Court (resident of Plot No.46, H.No. 16-2-740/46, Kalyan Nagar, Gaddiannaram, New Malakpet, Hyderabad - 500060, Mobile No.9705053485) is appointed as sole arbitrator to adjudicate the dispute between the parties.
10. Accordingly, the arbitration application is allowed.

Miscellaneous applications pending, if any, shall stand closed. No order as to costs.

Sd/- M. VIJAYA BHASKER  
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. Sri Justice A Santosh Reddy, Former Judge of High Court, R/o. Plot No. 46, H.No. 16-2-740/46, Kalyan Nagar, Gaddiannaram, New Malakpet, Hyderabad - 500060  
( Along with the Affidavit and Material Papers )

( By Special Messenger )

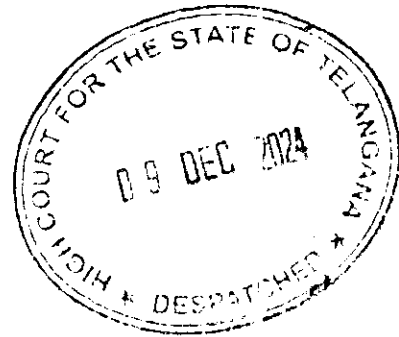
2. One CC to Mr V Seetharama Avadhani, Advocate [OPUC]
3. Two CD Copies

HIGH COURT

DATED:29/11/2024

ORDER

ARBAPPL.No.186 of 2024



ALLOWING THE ARBAPPL

⑤ Copies

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9/12/24