

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

**FRIDAY, THE TWENTY SEVENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HON'BLE THE CHIEF JUSTICE APARESH KUMAR SINGH

ARBITRATION APPLICATION NO: 104 OF 2025

Between:

Sri Bhusarapu Seshu Babu, S/o Bhusarapu Venkat Reddy, aged about 47 years, R/o. H.No.31-21-141/3, 3rd Phase, KPHB Colony Kukatpally, Hyderabad -500072.

...Applicant

AND

Sri P.Srinivasa Rao, S/o P.Govinda Rao, aged about 57 years. Occ: Business, R/o H.No.10-3-129, Fathenagar, Hyderabad-500 018 O/o. Sai Srikar Industries Sy.No.31/AAC, Alinagar, Chittlapotharam Village, Jinnaram Mandal, Sangareddy District.

...Respondent

Arbitration Application under Section 11 (5 & 6) of the Arbitration and Conciliation Act, 1996, praying that this Hon'ble Court may be pleased to direct the respondents to appoint an Arbitrator under Section 11(5 & 6) of the Arbitration and Conciliation Act 1996 and in the alternative of this Hon'ble court may be pleased to appoint any Arbitrator in the interest of justice for resolving the disputes between the Applicant and the Respondent arising out of the Partnership deed dated 06.02.2013 which is reconstituted on 16.06.2014.

**Counsel for the Applicant: Sri J.V.Srinesh, representing
Ms. G. Sindhu**

Counsel for the Respondent: None Appeared

The Court made the following: ORDER

Learned counsel Sri J.V.Srinesh, representing learned counsel Ms. G.Sindhu, appears for the applicant.

The applicant is a party to the partnership deed dated 06.02.2013, which provides for an arbitration clause No.15 as under:

“15. In the event of any dispute between the Partners either during or after the Partnership concerning the deed any other terms the same shall be referred to an arbitrator or arbitrators.”

It is alleged that the applicant has not been paid his share since 2023. Therefore, he invoked the arbitration clause by notice dated 10.02.2025 proposing the name of an arbitrator. No reply was received by the applicant.

Therefore, the applicant preferred this arbitration application.

Despite notice by substituted service through paper publication, the respondent has not entered appearance.

Learned counsel for the applicant submits that since there exists an arbitrable dispute between the parties and the applicant has satisfied invocation of the arbitration clause by notice upon the respondent, this court may be pleased to appoint an independent arbitrator to adjudicate the dispute between the parties.

Upon hearing learned counsel for the applicant and on the facts and circumstances placed on record, since the respondent has not entered appearance despite valid service and has not objected to the existence of the partnership deed which contains the arbitration clause and that the applicant has invoked the arbitration clause by notice dated 10.02.2025, I hereby propose to appoint Smt. K.Aruna Kumari, retired District Judge (Elite Homes, Flat No.812, 8th Floor, SMR Vinay Hi Lands, Nizampet Hi Tension Road, Miyapur, Hyderabad. Mobile No.9441268239), as an arbitrator to adjudicate the dispute between the parties.

The proposed arbitrator is requested to submit her consent and a declaration in terms of Section 12(1) read with Schedule VI of the Arbitration and Conciliation Act, 1996.

Registry is directed to communicate this order to the proposed arbitrator.

The matter be listed after three weeks with the response, if any, of the proposed arbitrator.

SD/- K.SRINIVASA RAO
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. Smt. K.Aruna Kumari, retired District Judge (Elite Homes, Flat No.812, 8th Floor, SMR Vinay Hi Lands, Nizampet Hi Tension Road, Miyapur, Hyderabad. Mobile No.9441268239)(By Special Messenger)(Along with a Copy of affidavit and material papers)
2. The Section Officer, O.S.Section, High Court for the State of Telangana at Hyderabad.
3. One CC to Ms. G. Sindhu, Advocate [OPUC]
4. Two CD Copies

Kam/BA

Jks

HIGH COURT

DATED: 27/02/2026

LIST AFTER THREE WEEKS

ORDER

ARBAPPL.No.104 of 2025



DIRECTION

⑥-JKS
2/3/26