

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

**FRIDAY, THE EIGHTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE THE CHIEF JUSTICE APARESH KUMAR SINGH

ARBITRATION APPLICATION NO: 262 OF 2025

Between:

Mr.Mohammed Aleem @ M.A.Aleem, S/o.Late.Mohammad Abdul Raheem, Aged about 78 Years, Occ. Business, R/o.H.No.157/B/1, Gunrock Enclave, Phase No.2, Karkhana, Secundrabad Telangana.State Pincode-500 009.

...APPLICANT

AND

Mr.Shabbir Totanwala, S/o.Mr.Hyderali Totanwala, Aged about 62 Yrs, Occ.Business, R/o. Plot No.87, Besides Sabji Bazar, Trimulgheery, Secundrabad. Telangana State, Pin code- 500 015,

Also at R/o.Flat No.202, Plot No.10, SMH Hill View Kamalaya Enclave, Jupiter Colony, Tirmulgherry, Sec'bad.

...RESPONDENT

Arbitration Application filed Under Section 11 (2) (6) the Arbitration and Conciliation Act, 1996 R/w the Scheme for Appointment of Arbitration 1996 of High court praying that in the circumstances stated in accompanying affidavit this Hon'ble Court may be pleased to appoint a sole arbitrator to adjudicate the claims and disputes between the applicants and respondents. (ii)To award the costs of application.

Counsel for the Applicant : Sri M Venkata Rama Rao

Counsel for the Respondent : _ _ _

The Court made the following: ORDER

Mr. M. Venkata Rama Rao, learned counsel appears for the applicant.

On 19.12.2025, this Court passed the following order:

"The parties have entered into a Development Agreement-cum-Irrevocable General Power of Attorney on 18.05.2017. In respect of the disputes arose between them, the applicant has invoked arbitration clause 30 and issued notice dated 13.05.2025 upon the respondent for appointment of an arbitrator. Despite service of notice, no reply has been given by the respondent. Therefore, the applicant has approached this Court for appointment of an independent arbitrator under Section 11(2)(6) of the Arbitration and Conciliation Act, 1996.

Issue notice on the respondent.

Learned counsel for the applicant is also permitted to take out personal notice on the respondent apart from Speed Post and to file proof of the same.

List the matter after four weeks."

Despite service of notice, respondent has not been entered appearance. Therefore, by way of last indulgence, the matter was adjourned for one week on 17.04.2026. Still no one has entered appearance on behalf of the respondent.

Learned counsel for the petitioner has submitted that this Court may proceed to appoint an arbitrator.

In view of the aforesaid facts and circumstances, as there exists disputes between the parties under the Development Agreement-cum-Irrevocable General Power of Attorney on 18.05.2017, which provides for an arbitration clause and the ingredients for invocation of the jurisdiction of this Court are satisfied as above, I propose to appoint Sri V. Niranjan Rao, former District Judge (Resident of Villa No.6, MYP1, Green Castle, Gundla Pochampally (Vill.), Medchal Malkajgiri District, Hyderabad; Mobile No.8688322366), as an independent arbitrator to adjudicate the disputes between the parties.

The proposed Arbitrator is requested to submit his 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 (3) weeks with the response, if any, of the proposed Arbitrator.

SD/- K.SHYLESHI
JOINT REGISTRAR

//TRUE COPY//

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SECTION OFFICER

To,

1. Sri V. Niranjan Rao, former District Judge, Resident of Villa No.6, MYP1, Green Castle, Gundla Pochampally (Vill), Medchal Malkajgiri District, Hyderabad: (Mobile No.8688322366) **(By Special Messenger)**
(Along with a Copy of affidavit and material papers)
2. One CC to SRI. M VENKATA RAMA RAO, Advocate [OPUC]
3. Two CD Copies

ADK/BA



HIGH COURT

DATED: 18/09/2026

ORDER

ARBAPPL.No.262 of 2025



DIRECTION

(5)
lps
22/9/26