

[3374]

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

**FRIDAY, THE EIGHTEENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

ARBITRATION APPLICATION No: 132 of 2024

Between:

Mr. Puthucode Ramanathan Viswanathan, S/o. Mr. Late P.K. Viswanathan, Age: 67 years, Occ: Chartered Accountant, R/o. Plot No. 94. P & T Colony. Tirumalagiri, Secunderabad- 500015.

...APPLICANT

AND

M/s. Krishna Yadav Paivula, S/o. Jangaiah paivula, Age: 53 years, R/o. 21-67. Chandu Palace, near Uttamnagar Bus Stop, Uttamnagar, Malkajgiri. Rangareddy, Telangana- 500047.

Also illegally residing at Plot No. 94, P & T Colony, Tirumalagiri, Secunderabad- 500015.

...RESPONDENT

Arbitration Application filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996 R/w Scheme for Appointment of Arbitrator, 2000 for the praying that this Hon'ble Court may be pleased to kindly take the necessary measures for appointment of an Hon'ble Sole Arbitrator in terms of the Arbitration clause 14 of the Lease Deed dated 19-07-2022 to resolve the disputes between the Applicant and the Respondent arising out of the said agreement.

**Counsel for the Petitioner: Mr. Shiv Rohan Singh, counsel representing
R.S. ASSOCIATES**

Counsel for the Respondent: None Appeared

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

ARBITRATION APPLICATION No.132 of 2024

ORDER:

Mr. Shiv Rohan Singh, learned counsel represents R.S.Associates for the applicant.

None has appeared for the respondent despite service of notice.

2. This application is filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as "the Act"). The applicant seeks appointment of an arbitrator to resolve the dispute between the parties.

3. The parties have entered into Lease Deed dated 19.07.2022. Clause 14 thereof contains an arbitration clause and the same is extracted below for the facility of reference:

"Any dispute or differences arising between the parties, unless settled amicably, shall be referred to Arbitration by appointing a Sole Arbitrator. The Arbitration shall be conducted in accordance with the provisions of the Arbitration and Conciliation

Act, 1996 or any statutory modification or respondents-enactment thereof. This deed shall be governed by the laws of India. The seat of the Arbitration shall be at Hyderabad.”

4. A dispute has arisen between the parties. The applicant invoked the arbitration clause and sent a notice dated 11.03.2024 to the respondent, but the respondent failed to respond to the aforesaid notice.

5. The dispute that has arisen between the parties needs to be resolved in the manner agreed to by the parties under the Lease Deed dated 19.07.2022.

6. Therefore, Mr. B.Sathaiah, former Principal District and Sessions Judge, Mancherial (resident of Flat No.202, NMSK SADAN, Road No.5, Sainagar, Nagole, Hyderabad) is appointed as sole arbitrator to adjudicate the dispute between the parties. The parties shall appear before the Arbitrator along with a copy of this order on 23.11.2024 at 11.00 a.m. Thereupon, the sole arbitrator shall proceed with the arbitral proceedings in accordance with law. Needless to state that it is open for the

respondent to raise all such objections as are permissible in law.

7. Accordingly, the Arbitration Application is allowed.

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

Sd/- C.V. MALLIKARJUNA VARMA
JOINT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. Mr. B. Sathaiah, former Principal District and Sessions Judge, Mancheriah (resident of Flat No.202, NMSK SADAN, Road No.5, Sainagar, Nagole, Hyderabad) **(By Special Messenger) (Along with a Copy of affidavit and material papers)**
2. One CC to R.S. ASSOCIATES, Advocate [OPUC]
3. Two CD Copies

kam/gh

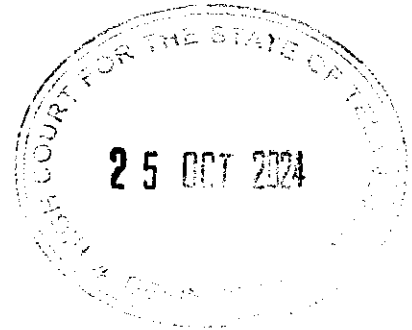


HIGH COURT

DATED:18/10/2024

ORDER

ARBAPPL.No.132 of 2024



**THE ARBITRATION
APPLICATION
IS ALLOWED**

⑧
25/10/24
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