

[3374]

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

**FRIDAY, THE TWENTY SECOND DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE

ARBITRATION APPLICATION NO: 157 OF 2024

Between:

M/s. Olectra Greentech Ltd, (formerly known as Goldstone Infratech Ltd.) Reg. off. at S-22, 3rd floor, Technocrat Industrial Estate, Balanagar, Hyderabad - 500037, Telangana, Represented by its Authorised Representative Mr. P. Hanuman Prasad, Company Secretary

...APPLICANT

AND

M.L.R. Motors Limited, 41/1A IDA, Balanagar, Hyderabad, Telangana - 500037
Rep. by it's Board of Directors

...RESPONDENT

Arbitration Application under Section 11(5) & (6) of the Arbitration and Conciliation Act, 1996 praying that for the reasons stated in the accompanying affidavit, this Hon'ble Court may be pleased to appoint a Sole Arbitrator u/s 11(5) and (6) of the Arbitration and Conciliation Act, 1996 r/w para 3(1)(d) of Scheme of Appointment of Arbitrators, 1996 as framed by the Hon'ble High Court for the State of Telangana, as per Clause 18 of the Memorandum of Understanding dated 1st April, 2017 for adjudicating the dispute between the Applicant Company and the Respondent Company herein.

Counsel for the Petitioner: SRI. S V RAMA KRISHNA

Counsel for the Respondent: SRI B RAVEENDRA BABU

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE
ARBITRATION APPLICATION NO.157 of 2024

ORDER.

Mr. S.V.Ramakrishna, learned counsel for the applicant.

Mr. B.Raveendra Babu, learned counsel for the respondent.

2. In this petition under Section 11(6) of the Arbitration and Conciliation Act, 1996 (briefly 'the A&C Act' hereinafter), the applicant seeks appointment of an arbitrator to adjudicate the dispute between the parties.

3. Admittedly, the parties have entered into a Memorandum of Understanding on 01.04.2017. Clause 18 of the Memorandum of Understanding contains an arbitration clause, which is extracted below for the facility of reference:

"This MoU shall be governed by the laws of India. Both parties irrevocably submit to the exclusive jurisdiction of the Courts in Hyderabad, for any action or proceeding regarding this Agreement. Any dispute or claim arising out of

or in connection herewith, or the breach, termination or invalidity thereof, shall be settled by arbitration in accordance with the provisions of Procedure of the Indian Arbitration & Conciliation Act, 1996. The arbitration tribunal shall be composed of a sole arbitrator, and such arbitrator shall be appointed mutually by the Parties. The place of arbitration shall be Hyderabad, India and the arbitration proceedings shall take place in the English language.”

4. The dispute had arisen between the parties. Therefore, the applicant sent a notice to the respondent on 07.03.2024. Respondent sent reply on 04.04.2024. Thereafter, this application has been filed.

5. Learned counsel for the parties jointly submit that the dispute that has arisen between the parties, which requires resolution in the manner agreed to by the parties.

6. In view of the Memorandum of Understanding dated 01.04.2017 entered between the parties and in view of

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consensus arrived at between them, Mr. Justice P. Naveen Rao, former Acting Chief Justice of this Court (resident of # 3001, My Home Bhooja, Block-A, Plot Nos.22-24 & 31-33, Raidurgam, Ranga Reddy District pin: 500081; Mobile No.8374012311) is appointed as sole arbitrator to adjudicate the dispute between the parties.

7. The parties undertake to appear before the sole arbitrator on 28.12.2024 at 11:00 a.m., along with a copy of this order.

8. Thereupon, the sole arbitrator shall proceed with the arbitral proceedings in accordance with law.

9. Accordingly, the Arbitration Application is disposed of.

No costs.

Sd/- M. VIJAYA BHASKER
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. Mr. Justice P. Naveen Rao, former Acting Chief Justice of High Court for the State of Telangana. (resident of #3001, My Home Bhooja, Block-A, Plot Nos.22-24 & 31-33, Raidurgam, Ranga Reddy District pin: 500081; Mobile No.8374012311)
(By Special Messenger along with a Copy Affidavit and Material Papers)
2. One CC to SRI. S V RAMA KRISHNA, Advocate [OPUC]
3. One CC to SRI. B RAVEENDRA BABU, Advocate [OPUC]
4. Two CD Copies

PR/gh



HIGH COURT

DATED: 22/11/2024

**ORDER
ARBAPPL.No.157 of 2024**



**DISPOSING OF THE
ARBITRATION APPLICATION**

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29/11/24
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