

**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: 245 OF 2024

Between:

1. M/s. Corvine Chemicals and Pharmaceuticals Private Limited., Having its registered office at Plot No. 135-E, Kohlar Industrial Area, Bidar, Karnataka, India, Rep., by its Executive Director Mahareddy Revanth Reddy
2. Goutham Bacha, S/o, Srinivas Bacha, aged about 27 years, R/o, Flat No. 21, Canton Park, Pet basheerabad, Opp. J.J.Garden, Qutbullapur, Hyderabad - 500055

...APPLICANTS

AND

1. Srinivasulu Kanday, S/o. ShankaraiahKanday, aged 58 years, R/o.10-2-280/B, Flat No.303 New Royal Nest Rd.No.11, Neal MCH Park, West Maredpally, Secunderabad, Hyderabad - 500026 (Presently R/o. Plot No. 143, MLA and MP's Colony Road No.10C, Jubilee Hills, Hyderabad - 500033)
2. Santosh Kanday, S/o. Srinivasulu Kanday, aged about 29 years, R/o.10-2-280/B, CD Flat No.303 Rd.No.11, Neal MCH Park, West Maredpally, Secunderabad, Hyderabad - 500026 (Presently R/o. Flat No. 404, Vasavi Bhuvana Apartments, Sri Nagar Colony, Hyderabad - 500072)
3. Ramesh Kanday, S/o. Shankaraiah Kanday, aged about 57 years, R/o.10-2-158 to 160/103, Kashi Manjeera Nest Apartment, Rd.No.2, West Maredpally Secunderabad, Hyderabad - 500026 (Presently R/o. Villa No. 6, Luxura Greens, Opp. Kendriya Vidyalaya School, New Bowenpally, Secunderbad, Hyderabad-500011)
4. Sreedevi Kanday, W/o. Srinivasulu Kanday, aged about 49 years, R/o.10-2-280/B, CD Flat No.303 Rd.No.11, Neal MCH Park, West Maredpally, secunderabad, Hyderabad- 500026 (Presently R/o. Plot No. 143,MLA and MP's Colony Road No.10C, Jubilee Hills, Hyderabad - 500033)
5. Bajrang Iruventi, S/o. Satya Sai Babu Iruventi, aged about 26 years, R/o. 17-1-383/28, Flat No. 503, Vinay Nagar, Bhoj Reddy Engineering College, Santosh Nagar, Saidabad, Hyderabad - 500059
6. Nagaraju Yellisetty, S/o. ChandraiahYellisetty, aged about 55 years, R/o. Flat No. 717, Vasavi Shanthinikethan, White Fields, Kondapur, K.V. Rangareddy, Hyderabad - 500084

7. Sukhi Projects LLP., Plot No. 59, Sagar Society, Road No.2, Banjara Hills, Hyderabad-500034

...RESPONDENTS

Arbitration Application under Section 11 (6) of the Arbitration and Conciliation Act, 1996 Read with Scheme for Appointment of Arbitrators, 1996 praying that for the reasons stated in the accompanying affidavit, this Hon'ble Court may be pleased to

- (i) Appoint an Arbitrator on behalf of the Respondents to facilitate the arbitrator nominated/proposed by the Applicants and the Arbitrator to be appointed by this Hon'ble Court in this Application both together in turn to appoint an Empire/Presiding Arbitrator to adjudicate the claims/disputes between the Applicants and the Respondents in relation to or in connection with or arising out of the LLP Agreement dated 05-12-2019,
- (ii) to award costs of this Application.

Counsel for the Petitioners: Sri M. Ravindranath Reddy learned Senior Counsel for SRI. B SRINARAYANA

Counsel for the Respondents 1 to 4 and 7: Mr. Ashish Kale, learned Counsel SRI MANJARI S GANU

Counsel for the Respondents 5 and 6: -----

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

ARBITRATION APPLICATION NO.245 of 2024

ORDER:

Mr. M.Ravindranath Reddy, learned Senior Counsel appears for Mr. B.Srinarayana, learned counsel for the applicants.

Mr. Ashish Kale, learned counsel represents Ms. Manjari S.Ganu, learned counsel for respondents No.1 to 4 and 7.

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

3. Admittedly, the parties have entered into a Limited Liability Partnership Agreement on 05.12.2019. Clause 25 of the said agreement contains an arbitration clause, which is extracted below for the facility of reference:

“All disputes between the partners or between the partner and the firm arising out in relation to

implementation, interpretation of clauses of this agreement which cannot be resolved through mutual discussions among the partners, shall be referred to and resolved by arbitration as per the provisions of the Arbitration and Conciliation Act, 1996 (26 of 1996).”

4. The dispute had arisen between the parties. Therefore, the applicants sent a notice invoking arbitration clause to the respondents on 29.08.2024. But the respondents have failed to reply to the said notice. 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. Therefore, Mr. Justice L.Nageswara Rao, former Judge of Supreme Court (resident of # 304, Sector 15A Noida – 201301, Uttar Pradesh, India; Mobile No.9810035984) is

appointed as sole arbitrator to adjudicate the dispute between the parties.

7. The parties undertake to appear before the sole arbitrator on 30.11.2024 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/- K. SRINIVASA RAO
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. Mr. Justice L.Nageswara Rao, former Judge of Supreme Court (resident of #304, Sector 15A Noida- 201301, Uttar Pradesh, India; Mobile No.9810035984)
(By Special Messenger along with a Copy Affidavit and Material Papers)
2. One CC to SRI. B SRINARAYANA, Advocate [OPUC]
3. One CC to SRI. MANJARI S GANU, Advocate [OPUC]
4. Two CD Copies

Pr/gh



HIGH COURT

DATED: 22/11/2024

ORDER

ARBAPPL.No.245 of 2024



**DISPOSING OF THE ARBITRATION
APPLICATION WITHOUT COSTS**

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29/11/2024