

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

WEDNESDAY, THE ELEVENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE

ARBITRATION APPLICATION NO: 278 OF 2024

Between:

1. Peddu Chandrasekhara Rao, S/o. Venkata Narayana, Aged about 80 years, Occ Doctor, R/o. H. No. 8-123/10, Katuru Road, Vuyyuru, Krishna District Andhra Pradesh - 521165
2. Smt. Koganti Aruna Devi, W/o. Koganti Raja Rao, Aged 77 years, Occ Retired Employee, R/o. H.No. 42- 847, Road Nagar, Moula Ali, Malkajiri - 40. Rep. by its Irrevocable GPA holder Smt. Kakiyala Suguna, W/o. Dr. P. B. Kanna.
3. Smt. Podili Alias Amerneni Suneetha, W/o. A. Goutham Babu, D/o. Kanna Podili, Aged 48 years, Occ housewife, R/o. 8-3-22a/61/101-F, 61-63, Madhura Nagar, Sanjeev Reddy Nagar, Vora Towers, Ameerpet Hyderabad - 38.
4. Gaddam Gaddam Sangamitra, S/o. Gaddam Venkata Krishna Rao, Aged 45 years, Occ Business, R/o. Plot No. 154, Flat No. 301, Phase 6, KPHB Colony, Kukapally, Hyderabad - 500072

AND

...Applicants

M/s. Sash Infra, Registered firm with registration No. 1551 of ²⁰⁰⁹ ~~2019~~, Office at Plot No. 84, Green Hills Colony, Street No. 8, Habsiguda, Hyderabad. Rep. by its Managing Partner, K. Vinay Kumar Reddy, S/o K. Venkat Reddy, Aged 35 years, Occ Business, R/o. H. No. 1- 29, Sulthanpur Village, Pargi Mandal, Vikarabad District- 501 501

...Respondents

Arbitration Application filed under Section 11(5) & (6) of the Arbitration and Conciliation Act, 1996 r/w para (3) (i) (c) of the Scheme for Appointment of Arbitrator, 2000 praying that for the reasons stated in the affidavit, it is prayed that the High Court for the State of Telangana at Hyderabad, may be pleased to appoint a Sole Arbitrator, a retired judge of this Hon'ble Court to adjudicate the disputes among the parties herein and to pass an award within the stipulated period.

Counsel for Applicants : Mr. Venkat Reddy Kodumury

Counsel for the Respondent : None appeared

The Court made the following: ORDER

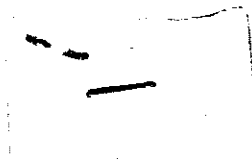
THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

ARBITRATION APPLICATION No.278 of 2024

ORDER:

Mr. Venkat Reddy Kodumury, learned counsel for the applicants.

2. None has appeared on behalf of the respondent though served.
3. This application is filed under Section 11(5) & (6) of the Arbitration and Conciliation Act, 1996 seeking appointment of an arbitrator to resolve the disputes between the parties.
4. Facts giving rise to filing of this application briefly stated are that the parties have entered into a Development Agreement-cum-General Power of Attorney on 19.08.2019. Clause 31 of the aforesaid agreement contains an arbitration clause, which is extracted below for the facility of reference:



“In the event of any dispute arising between the parties in interpretation of any terms there of or the implementation of this agreement or any matter arising from the same, the same shall be referred to arbitration of an arbitrator mutually agreed upon.”

5. The dispute between the parties has arisen. Therefore, the applicants invoked the arbitration clause and sent a notice under Section 21 of the aforesaid Act on 13.08.2024. The respondent sent reply to the aforesaid notice on 19.09.2024. Thereafter, this application has been filed.

6. I have heard the learned counsel for the applicants.

7. From a perusal of the record, it is evident that the parties have entered into a Development Agreement-cum-General Power of Attorney which contains an arbitration clause. The dispute has arisen between the parties which requires resolution in the manner agreed to by the parties.



8. Therefore, Mr. V.V.Raghavan, retired District Judge (resident of Flat No.302, Legends Residency, Street No.2, Shantinagar, Masab Tank, Hyderabad – 28, Mobile No. 9912906559), is appointed as sole arbitrator to adjudicate the dispute between the parties.

9. Accordingly, the arbitration application is allowed.

Miscellaneous applications pending, if any, shall stand closed. No order as to costs.

Sd/- C.V. MALLIKARJUNA VARMA
JOINT REGISTRAR

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SECTION OFFICER

To,

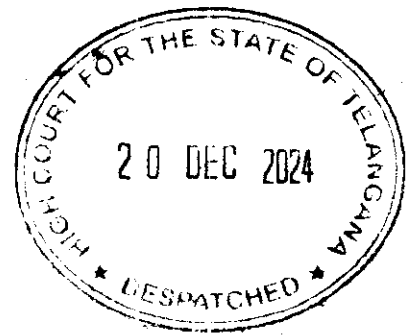
1. Mr. V.V. Raghavan, retired District Judge (resident of Flat No. 302, Legends Residency, Street No. 2, Shantinagar, Masab Tank, Hyderabad – 28, Mobile No. 9912906559) (By special messenger) (along with a copy of affidavit and material papers)
2. One CC to Mr. Venkat Reddy Kodumury, Advocate [OPUC]
3. Two CD Copies

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HIGH COURT

DATED:11/12/2024



ORDER

ARBAPPL.No.278 of 2024

ALLOWING THE ARBITRAITON APPLICATION

Scopes
for
19/12/24